



November 12, 2020

Jesse Arreguin, President
Executive Board, Association of Bay Area Governments
375 Beal Street, Suite 700
San Francisco, CA 94105

Subject: Proposed RHNA Methodology and Sub regional Shares

Dear President Arreguin,

On behalf of the City of Alameda Mayor and City Council, I am pleased to be sending you and the Housing Methodology Committee this letter of support for your work over the last year. We recognize that developing a methodology for the distribution of over 441,000 housing units across the Bay Area's many cities and counties is a thankless job, but we want to thank you.

On November 4, 2020, the Alameda City Council discussed the proposal made by the Tri-Valley Cities and their request that ABAG de-emphasize the equity factor that is an important policy objective in the regional plan and successfully implemented in the Methodology Committee's "Option 8A".

Although the Tri-Cities proposal would reduce Alameda's RHNA allocation by approximately 30%, the Alameda City Council on a vote of 4-1 directed staff to transmit this letter of opposition to the Tri-Valley request to de-emphasize the need for greater equity across the Bay Area.

As an island city, we understand that each municipality may have factors that they believe should change their individual numbers, but the Alameda City Council believes strongly that addressing historic inequities in planning, land-use and transportation is a bare minimum for prioritization when it comes to housing allocations and that additional considerations should not have a reduced impact on these factors.

The City of Alameda City Council commends the Committee on their good work to date and your efforts to address long standing in-equities throughout the Bay Area.

Sincerely,

Andrew Thomas,
Director of Planning, Building and Transportation, City of Alameda.

cc. Alameda Mayor Marilyn Ezzy Ashcraft and City Council
Alameda City Manager, Eric Levitt



TOWN OF ATHERTON

CITY COUNCIL
150 WATKINS AVENUE
ATHERTON, CALIFORNIA 94027
(650) 752-0500
FAX (650) 688-6528

November 20, 2020

Ms. Karen Mitchoff, Chair
ABAG Regional Planning Committee
c/o ABAG-MTC Public Information Office
375 Beale St, Suite 800
San Francisco, CA 94105

VIA EMAIL

RE: Proposed RHNA Methodology and Subregional Shares

Dear Chair Mitchoff:

I write on behalf of the Town of Atherton to provide comment on the proposed methodology for the RHNA 6 cycle and the draft subregion shares passed by the Executive Board at their meeting on October 15, 2020.

The Town of Atherton is a small, residential community with public and private schools. Aside from local school operations, the Town's primary land use is residential, and the Town does not allow commercial development. As a result, there are very few jobs outside of the limited number of Town employees and employees of local schools. It is also important to note that Caltrain no longer serves this community and transportation options are very limited.

The RHNA methodology relies heavily on proximity to jobs as a factor. Neighboring jurisdictions regularly approve large scale commercial developments that result in job growth, demands on local resources, and a demand for new housing in those communities. Those communities in turn, also benefit from the resulting tax bases and should be required to provide their fair share of housing and resource amenities to meet a healthy job-to-housing ratio. As the Town does not anticipate growth, let alone job growth within the Town limits, this methodology is not applicable to the Town of Atherton.

As noted above, the Town's long-standing character is as a residential community. With the last Housing Element process, the Town revised its Accessory Dwelling Unit (ADU) ordinance to exempt ADUs from floor area. This resulted in substantial new construction of ADUs in a manner that remains consistent with the Town's character. In 2020 Town updated its ADU ordinance for compliance with State regulations and will continue to promote new ADU construction as a means of balancing new housing options. In addition, the

Town has committed to working with the local schools to promote new housing on their facilities. The Town is supportive of a reasonable RHNA allocation that can be achieved within its community character.

Satisfying the RHNA requirement as proposed would be nearly impossible to achieve without *fundamental* changes to the Town's land use framework. The Town's General Plan and Zoning Ordinance – the key elements of our Town's constitution—will need to be rewritten in order to accommodate this level of new growth. The Town requests that the final methodology take into consideration sustainability and impacts on community character.

For the reasons outlined above, the Town respectfully asks that you reconsider the allocation methodology. Thank you for your consideration, and this opportunity to provide comment.

Sincerely,

A handwritten signature in blue ink that reads "Rick DeGolia". The signature is fluid and cursive, with a clear loop at the end.

Rick DeGolia
Mayor
Town of Atherton



CITY of BELVEDERE

450 San Rafael Avenue • Belvedere CA 94920-2336

Tel.: 415.435.3838 • Fax: 415.435.0430

www.cityofbelvedere.org

November 24, 2020

To whom it may concern,

Please accept the enclosed letter from Belvedere Mayor Nancy Kemnitzer as a public comment on the methodology for determining RHNA housing numbers for jurisdictions over the next cycle. We were not able to participate in the hearing on this topic, and would appreciate your placing the Mayor's letter into the record.

Thank you very much.

A handwritten signature in black ink that reads "Craig Middleton". The signature is written in a cursive, flowing style.

Craig Middleton
City Manager



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October 13, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments, Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Dear Board President Arreguín,

On behalf of the City of Belvedere, please accept this letter of comment on the proposed Regional Housing Needs Allocation (RHNA) methodology recommended by the Housing Methodology Committee (HMC). We request that these comments be read and considered in advance of the October 15, 2020 ABAG Executive Board meeting where the recommended methodology will be discussed, because we believe a flaw in the methodology may defeat the chances of progress you seek to achieve.

The City of Belvedere appreciates the dedication of the officials, staff members and volunteers in seeking to develop a methodology and to achieve consensus on an appropriate distribution of 441,000 new housing units. It is a daunting undertaking, given the complexities among competing goals: housing supply and affordability; climate change; and transportation infrastructure and funding.

Belvedere has a population of fewer than 2,000 residents, and is located within a constrained land area of only .54 square miles surrounded on three sides by water, that is almost totally built out. While we have taken concrete actions to meet our housing needs allocation, no amount of effort, incentives or policy changes would be enough to add the number of units allocated to Belvedere under the methodology proposed by the HMC. Creating 160 units in this confined space of privately held land is simply unattainable.

Belvedere completed its housing element update process for the fifth cycle of State-mandated housing element updates (2015-2023). In May of 2015, the City Council approved the adoption of the Housing Element and the associated environmental document. At that time, and as part of the Housing Element update, the City also adopted amendments to the City of Belvedere

Zoning Ordinance (Title 19 of the Municipal Code) in order to implement specific programs in our 2030 General Plan Housing Element and to comply with the California Department of Housing and Community Development State laws. These include:

- amendments to “Transitional and Supportive Housing,” as a permitted use in all residential Zoning Districts;
- amendments to comply with the State density bonus law (Government Code Section 65915 et seq.); and
- provision for reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the “Acts”) in the application of zoning laws and other land use regulations, policies and procedures.

The City received a letter from HCD, dated May 18, 2015, stating that the adopted Housing Element was in full compliance with State Housing laws.

Additionally, in 2017, 2018 and 2019, code amendments were adopted regarding Accessory Dwelling Units and Junior Accessory Dwelling Units to further comply with State law (Government Code sections 65852.2 and 95852.22). Our planning officials regularly meet with project applicants to encourage private implementation of these laws and policies.

Thus, Belvedere has been active in taking steps to meet regional housing needs.

We recommend that the Executive Board take ABAG staff’s July 2020 suggestion to incorporate the Draft Blueprint in the RHNA methodology by using each jurisdiction’s share of Household Growth from 2010 to 2050 as the baseline. ABAG staff stated in their July 9, 2020 meeting materials that this approach is consistent with how long-range forecasts have been used in past methodology development. The advantages of this baseline were summarized by ABAG staff this way (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3):

- Simple and straightforward to implement and discuss (e.g., “the methodology aligns with growth predicted by Plan Bay Area 2050”)
- Integrates transit, hazards, and market feasibility through strategies and modeling
- Better aligned with Plan Bay Area 2050
- Emphasis on current and future employment development patterns leads to RHNA allocations more focused in Silicon Valley, region’s largest job center
- Higher RHNA allocations in high resource areas near major job centers – notably in the South Bay

Belvedere endeavors, within its significant topographical constraints, to encourage the development of new housing. Without modification, however, the recommended HMC methodology would result in unrealistic housing quotas during the 2023-2031 RHNA cycle that would be impossible to achieve. It is common knowledge that setting impossible goals reduces the incentive to reach any goal at all. Accordingly, we strongly urge that you rethink the allocation methodology as indicated above.

We appreciate your consideration of these comments. Do not hesitate to contact us if we can be of further assistance.

Best Regards,

A handwritten signature in blue ink that reads "Nancy Kemnitzer". The signature is written in a cursive style with a prominent flourish at the end.

Nancy Kemnitzer
Mayor



City of Brisbane
50 Park Place
Brisbane, CA 94005-1310
(415) 508-2100
(415) 467-4989 Fax

November 25, 2020

Public Information Office
ABAG-MTC
375 Beale Street, Ste. 800
San Francisco CA 94105

Subject: Proposed RHNA Methodology and Subregional Shares

To Whom It May Concern:

The City of Brisbane is writing in opposition to the Plan Bay Area 2050 (PBA 2050) Households as the baseline for the proposed regional housing needs allocation (RHNA) methodology. While the City understands the rationale for utilizing the projections from draft PBA 2050, as applied to Brisbane it results in an unrealistic allocation based on inaccurate information of the available developable land in the City. And ultimately, this outsized burden on Brisbane will result in less housing production in the Bay Area region overall at a time when our state critically needs it.

There are important limits on Brisbane's ability to dramatically expand in size. The Baylands, the City's largest opportunity site for future housing, includes areas that are not suitable for housing development, not because of local preferences but due to environmental hazards and existing regional uses that cannot be diverted to other jurisdictions. Brisbane's dramatic increase in growth projections in the PBA 2050 model are largely driven by the assumption that the entire Baylands area and areas designated with existing uses are available for housing development. It is critical that ABAG-MTC account for these limitations and develop realistic planning projections that will actually serve to expand housing availability.

Specifically, the Brisbane Baylands includes an unregulated landfill that is environmentally hazardous and unsuitable for housing development. This accounts for a significant portion of the Baylands, covering roughly 364 acres. The clean-up required is significant and based on a previous EIR of the area would take the better part of a decade to remediate. Even then, the existing developer has expressed no intention of putting housing on that property due to these hazards. In fact, the state's High Speed Rail Authority has identified the Baylands landfill as a critical location for a train maintenance facility as they develop the peninsula portion of the rail line. These plans demonstrate the point that the landfill area of the Baylands is best suited for industrial use, not housing development.

In addition, Brisbane is home to existing critical infrastructure for the Bay Area region that also needs to be removed from consideration as areas available for housing development. The Recology facility which processes waste from San Francisco, the PG&E energy substation just west of the Baylands, and the tank farm which houses fuel used for San Francisco International Airport are all existing uses that are obviously not appropriate for housing development. PBA 2050 does not take those uses into consideration in developing the projections for Brisbane.

Providing Quality Services

The Baylands also contains a variety of sensitive wildlife habitats, including aquatic resources such as Guadalupe Channel and Brisbane Lagoon, and an endangered species habitat on Icehouse Hill which will limit housing development on the property. None of these factors were adequately taken into account in the projections for PBA 2050 that will ultimately inform the final RHNA allocations.

The City's objections to the proposed methodology is not an indication that the City is unwilling to do its part to address the regional housing shortage. In 2018, the residents of Brisbane voted to amend its General Plan to permit the development of housing on the Baylands and approximately double its population and number of housing units. No other City in the region has made this type of bold commitment to help solve the housing problem. And again, the City's residents did this knowing the development of the property, given the significant environmental impacts on the Baylands, will be a huge undertaking for the City in conjunction with the landowner.

PBA 2050 however, projects more than 9,000 households in Brisbane by 2050 where the City currently has approximately 1,900 households. That proposed methodology applied to this RHNA cycle would generate an estimated allocation of 2,819 units, within a single 8-year RHNA cycle. The previously rejected Modified Option 8A that some jurisdictions are advocating would result in Brisbane being saddled with 7,591 units of housing in one RHNA cycle. For context, our current RHNA obligation is 83 units of housing, and we've already started planning for more than 1,800 units. The PBA's projection that the City quadruple this commitment is absolutely unrealistic given the geography of the City and impossible given the decades and costs of the environmental cleanup that would be required before most parts of the Baylands could even be made suitable for housing. The lack of adequate consideration of these constraints in PBA 2050 creates a starting point for Brisbane that sets our City up to fail and to suffer the funding penalties for failure.

The RHNA consequences of relying on these figures will be dire for the City of Brisbane. Establishing such an unattainable target will not increase housing production or further fair housing as the statutory objectives for the regional housing allocation require. Instead this target will put Brisbane in a perpetual state of failure that has real consequences for our residents that affect City planning, housing development allowances, and economic investment in the area. And when Brisbane is unable to meet this impossible allocation, it will mean the entire region continues to lag behind appropriate planning and development overall.

Do not confuse the City's objections to the proposed methodology as an indication that the City of Brisbane is unwilling do to its fair share (and more) to address the regional housing problem. We stand ready to do that in an environmentally responsible manner. In this spirit, the City of Brisbane looks forward to continuing these conversations with ABAG and getting to a result that is achievable for the City and the region.

Thank you for your consideration.

Sincerely,



Terry O'Connell
Mayor, City of Brisbane



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RECREATION DEPARTMENT
415-927-5072

SANITARY DISTRICT NO. 2
415-927-5057

CENTRAL MARIN
POLICE AUTHORITY
415-927-5150

October 6, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments, Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Dear Board President Arreguín:

On behalf of the Town Council of the Town of Corte Madera, please accept our comments related to the proposed Regional Housing Needs Allocation (RHNA) methodology recommended by the RHNA Housing Methodology Committee (HMC). Please consider these comments in advance of the October 15, 2020 ABAG Executive Board meeting where the recommended methodology will be discussed.

The Town of Corte Madera appreciates the efforts and dedication of the diverse stakeholder group of HMC members over the last year in attempting to make a collective recommendation regarding the appropriate distribution of 441,000 new housing units within the region and understands the urgency and challenge of addressing regional policy goals related to housing affordability, climate change and equity in this RHNA cycle. Unfortunately, however, the methodology recommended by the HMC allocates new housing units to areas that lack adequate transportation infrastructure, away from existing and future job centers, and into areas at risk of sea level rise and wildfire in quantities inconsistent with the growth patterns and policy objectives more carefully considered in Plan Bay Area 2050. As a result, the recommended methodology and resulting RHNA, if indeed intended to set realistic quotas for housing growth regionally, will not only fail to meet the Bay Area's total regional housing need, but will threaten our region's ability to grow sustainably into the future.

Our conclusions may be best illustrated by the fact that, pursuant to the proposed HMC methodology, the Town of Corte Madera is expected to experience an 18% household growth rate from 2019 as a result of the 2023-2031 RHNA. This is a greater growth rate than Berkeley and Oakland in the East Bay (16% and 17% respectively), San Mateo and Redwood City on the Peninsula (17% each), and significantly greater than San Rafael and Santa Rosa in the North Bay (12% and 10% respectively), yet Corte Madera lacks a Major Transit Stop and is expected to lose approximately 3,000 jobs (or approximately 43% of its current jobs) by 2050 according to the Plan Bay Area 2050 Draft Blueprint.

Other similarly situated cities in Marin and the region are expected to grow at similarly high relative growth rates between 2019 and 2031, despite Plan Bay Area 2050 projections to the contrary. The result is to push a greater proportion of new development into areas that will promote auto dependency and longer commute times, exacerbate GHG impacts, and run counter to the goals and objectives well-formulated and strongly articulated in the recently released Plan Bay Area Blueprint. Additionally, for Corte Madera, it means pushing housing

growth into areas that are either increasingly at risk due to projected sea level rise or wildfire since the vast majority of Corte Madera's geographic area is in either FEMA's 100-year flood plain or the Wildland Urban Interface (WUI).

To reduce the negative effect of the proposed HMC RHNA methodology, we recommend consideration of both of the following changes to the recommended methodology:

- *Utilize Plan Bay Area 2050 household (HH) growth rates between 2019 and 2050 as the baseline for the RHNA allocation rather than Plan Bay Area HHs in 2050.*

Utilizing the PBA 2050 household growth rate as the baseline will align RHNA more closely with Plan Bay Area Blueprint objectives related to reducing GHG emissions by focusing a greater proportion of growth to areas where transportation investments, job growth, and beneficial market conditions are expected to exist. This proposed change to the HMC methodology is supported by many other Bay Area jurisdictions who have also provided public comments and was supported by ABAG staff in its July 2020 report to the HMC.

- *Reduce the 40% allocation factor to High Resource Areas for moderate and market rate units utilized in Recommended Option 8A*

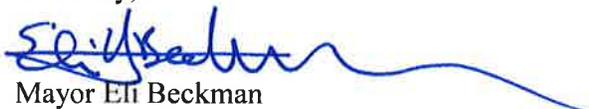
While not clear from the presentation materials provided to the HMC, it appears that the 70% allocation factor for very low and low-income units, and the 40% allocation factor for moderate and market rate units, are driving a significant number of additional units to High Resource Areas, such as Corte Madera, beyond that anticipated in Plan Bay Area 2050. It is not clear how the 40% allocation factor for moderate and market rate units helps further the equity purpose the HMC intends, as it would appear to drive relatively more higher income households to High Resource Areas. Reducing or eliminating this allocation factor would presumably reduce the overall housing allocation to jurisdictions like Corte Madera without affecting the strategy the HMC proposes to introduce greater equity into the RHNA process.

While we again recognize the challenge that the HMC faced in developing an appropriate allocation methodology, and appreciate many of the thoughtful contributions they have introduced into the process, we believe the outcomes of the recommended methodology, without modifications, *do not further the statutorily mandated objectives of RHNA and are inconsistent with Plan Bay Area 2050 objectives* that aim to grow the Bay Area sustainably and allocate scarce resources efficiently.

As one of the few Bay Area jurisdictions to meet and exceed its current 5th Cycle RHNA allocation with respect to all income categories, Corte Madera believes that there is room in our community to thoughtfully develop new housing that both helps to address the region's affordability and equity issues and improves the quality of our Town. Without modification however, the recommended HMC methodology presents wholly unrealistic housing quotas over the 2023-2031 RHNA cycle which appear to simply be a punitive attempt to set higher resource communities up for failure and state-imposed land use controls and penalties.

We thank you for your time and consideration.

Sincerely,



Mayor Eli Beckman
Town of Corte Madera



CITY OF CAMPBELL
Mayor's Office

November 25, 2020

ABAG/MTC Public Information Office
375 Beale Street, Suite 800
San Francisco, CA 94105
RHNA@bayareametro.gov

RE: Proposed RHNA Methodology and Subregional Shares

The City of Campbell would like to recognize the Housing Methodology Committee (HMC), Regional Planning Committee and ABAG Executive Board for their efforts to adopt a fair and accurate Regional Housing Needs Allocation (RHNA) Methodology to assign an identified housing need of 441,176 units for the Bay Area.

Understanding the impact that housing allocations will have on the Bay Area, the Campbell City Council received a presentation on the proposed RHNA Methodology and regional shares at their November 17, 2020 meeting. Having had the opportunity to review the proposed RHNA Methodology, the City Council seeks to highlight an ongoing issue with the accuracy of 2050 Household data reflecting forecasted growth from the Plan Bay Area 2050 (PBA 2050) Blueprint expanding on points raised in an August 5, 2020 letter to the ABAG/MTC Executive Director (see **Enclosure 3**) and identify concerns with the criteria used to establish Transit-Rich and High-Resource areas.

To summarize points raised in the August 5th letter, growth geographies used to derive the 2050 Household growth forecasts included areas that are unlikely or unable to be developed in the next 40 years. Since growth geographies assume increased housing production for qualifying Priority Development Areas (PDAs), Priority Production Areas (PPAs), Transit-Rich-High-Resource Areas (Outside PDAs), Transit-Rich Areas (Outside PDAs) and High Resource Areas (16-30 minute bus; Outside PDA) it is critical to ensure that the areas included are feasible before assigning a growth factor (i.e. for every 'x' acres of qualifying area, regardless of development potential, a population growth factor of 'y' shall be assumed). To ground the importance of this exercise, adopted Housing Elements are placed under a great deal of scrutiny by HCD to ensure that areas designated for housing development can in fact support the units assigned by a jurisdiction. Similarly, and recognizing that the Draft RHNA Methodology will be sent to

HCD for review, it is of paramount importance to ensure that areas assigned an increased growth factor are reviewed by a similar standard to ensure the 2050 Household data growth forecast, and the RHNA methodology, which uses its data as a baseline, are consistently sound in their application.

Recognizing that not all areas can be developed and transitioning that logic to the City of Campbell geography, the following should be considered as 'exclusions' from the eligible area calculations of the PBA2050 growth projections (only some of these, such as roadways, have been excluded):

- Open Space/Los Gatos Creek Trail
- Valley Water Percolation Ponds
- Existing Special Needs and Affordable Housing (per AB-1397 which severely restricts the use of housing opportunity sites identified in the previous RHNA 5 Cycle)
- Campbell Community Center
- Campbell Civic Center
- Public and County Parks
- Schools
- Churches
- Senior Housing (i.e. Merrill Gardens, Rincon Gardens, Wesley Manor)
- Underground Aquifers
- Natural Waterways
- Job Centers (that will not be removed due to its high improvement costs; e.g., 8x8 Inc., Hamilton Plaza)
- Highways, Expressways, Roads
- PG&E Substations
- Properties redeveloped in the last 20 to 30 years

The maps attached to this letter illustrate some of the itemized areas for exclusion. A summary of each map and its general purpose is as follows:

1. Exclusion Areas Map: This map provides an overview of areas within growth geographies planned around light rail which should be excluded based on some of the items provided in the list above (see **Enclosure 1**). Areas shown with a red crosshatch reflect areas that are inaccessible to existing light rail stations. Areas shown with a green crosshatch reflect areas which should be omitted since they rely on the construction of a light rail station that is no longer proposed by VTA (see **Enclosure 4**). Based on this analysis, while 2,209 acres may be planned for higher growth, less than 55% (1,228 acres) of that area may be able to accommodate redevelopment.

2. Recently Developed Properties Map: This map highlights properties within the growth geographies planned around light rail which should be excluded on the basis they are unlikely to be developed having been built in the last twenty years (2000 to 2020 ~ 72.5 acres) to thirty years (1990 to 1999 ~ 54 acres) (reference **Enclosure 2**).

In addition to the above geography characteristics which should be excluded from future growth forecasts, the City of Campbell is comprised of relatively small parcels which will make it virtually impossible, outside a mandated eminent domain program, to assemble multiple properties to achieve the anticipated growth projections.

Further, the Campbell City Council believes that other jurisdictions have unique geographies as well and, therefore, had requested that the 2050 Households data be modified to reflect individual jurisdictions' land constraints. The City believes these changes could easily be made by requesting each jurisdiction to prepare a formal list of excluded properties to be considered in the underlying data without undermining the HMC methodology. Recognizing local constraints, the City of Campbell prepared its own map illustrating properties within the growth geographies which should have been excluded as previously noted (see **Enclosure 1 & 2**). For Campbell the 2050 Household data also assumed the construction of the Hacienda and Vasona Light rail stations. As you may be aware, the Santa Clara Valley Transportation Authority (VTA) Board voted to place the Vasona Light Rail Extension and Corridor Improvement Program on an indefinite hold at its September 5, 2019 meeting (see **Enclosure 4** – Santa Clara VTA Board of Directors September 5, 2019 Meeting Minutes). Considering the fact that the Vasona Light Rail Extension had been contemplated for over two decades and has been found to be infeasible by the VTA in 2019, population projections which rely on its construction should be removed from the 2050 Household baseline since there are no longer plans to extend the light rail.

Separately, the City understands the HMC methodology relies on the underlying use of Plan Bay Area 2050 and, by extension, the criteria used to establish Transit-Rich and High-Resource Areas. The City has identified concerns with the criteria used to establish both categories as follows:

- Transit-Rich Areas: Recognizing that buses do not travel on fixed rails and change headway schedules, routes, and rates frequently based on ridership (changing several times over the last few years, and more recently in response to COVID-19) it is not appropriate for the City, or growth forecasts to plan for development reliant on such routes without assurance that the schedules, routes and rates used in the studied areas would remain for the plan period.
- High-Resource Areas: These areas are generally encumbered by high costs of living and dense populations. The City understands that high living costs are

detrimental to low-income households and can limit a family's the upward economic mobility in an area that limits such opportunities. However, most of Campbell's neighborhoods are not densely developed or populated with properties averaging in size of approximately 6,000 square feet. In order to achieve a site capable of accommodating sufficient land necessary to realize greater density, multiple parcels would have to merge. Relying on willing property owners to sell will result in a realistic obstruction to this goal. Unless the City adopts an eminent domain program to take private property for housing production, the growth projection will be found unrealistic.

By accounting for these considerations, the City believes a fairer and more accurate outcome will be established, which in turn will result in a more appropriate projected assignment of housing unit production, and an outcome that is ultimately more in line with the objectives of ABAG/MTC. Moving forward, the City would also like to express an interest in participating in the Plan 2050 Implementation Phase discussions with ABAG/MTC to understand expectations for cities to incorporate best practices into policy documents.

Sincerely,



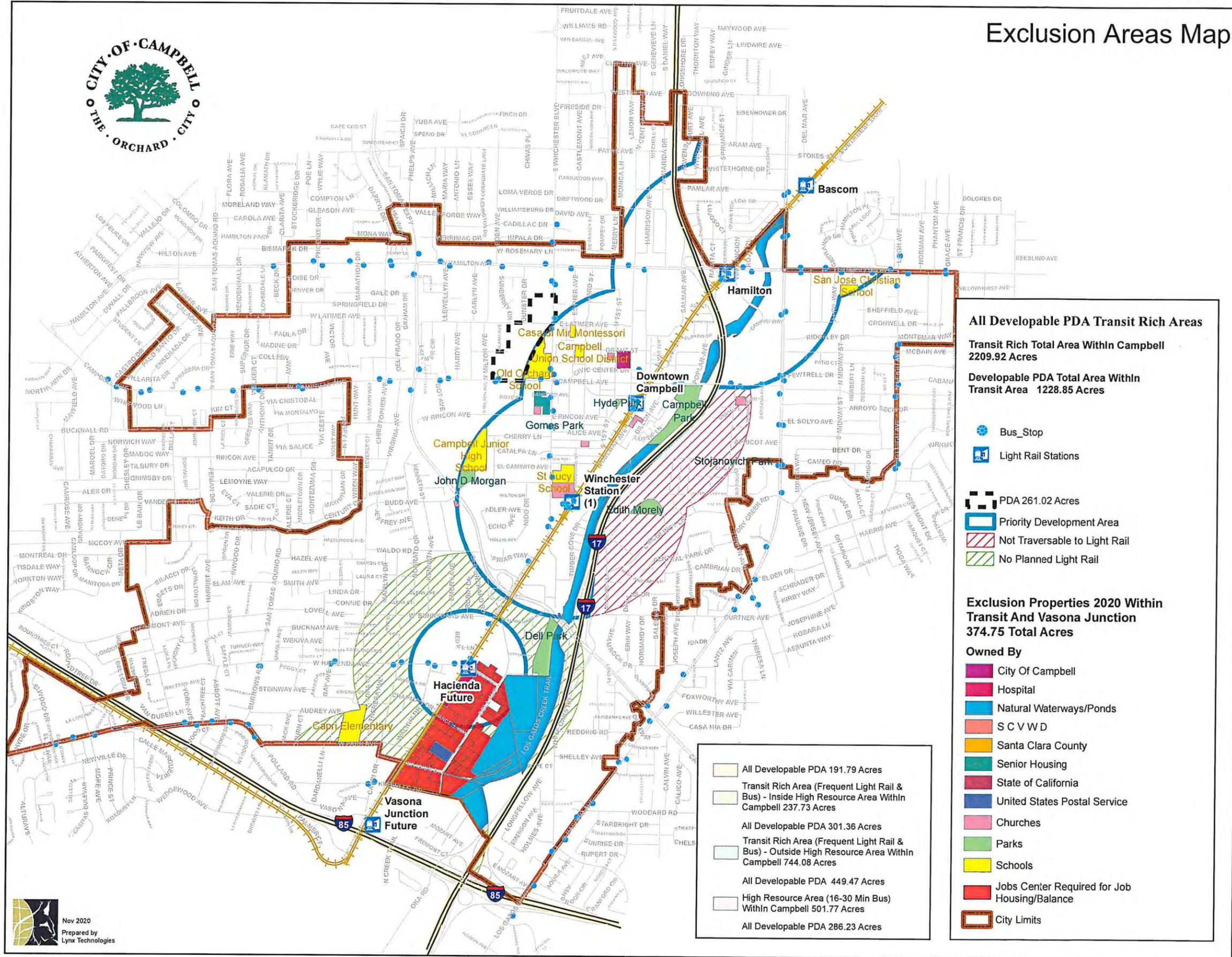
Susan M. Landry
Mayor, City of Campbell

Enclosures:

1. Exclusion Areas Map
2. Recently Developed Properties Map
3. August 5, 2020 letter to the ABAG/MTC Executive Director
4. Santa Clara VTA Board of Directors September 5, 2019 Meeting Minutes

cc: ABAG Executive Board
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

Exclusion Areas Map



All Developable PDA Transit Rich Areas

Transit Rich Total Area Within Campbell
2209.92 Acres

Developable PDA Total Area Within
Transit Area 1228.85 Acres

- Bus Stop
- Light Rail Stations
- PDA 261.02 Acres
- Priority Development Area
- Not Traversable to Light Rail
- No Planned Light Rail

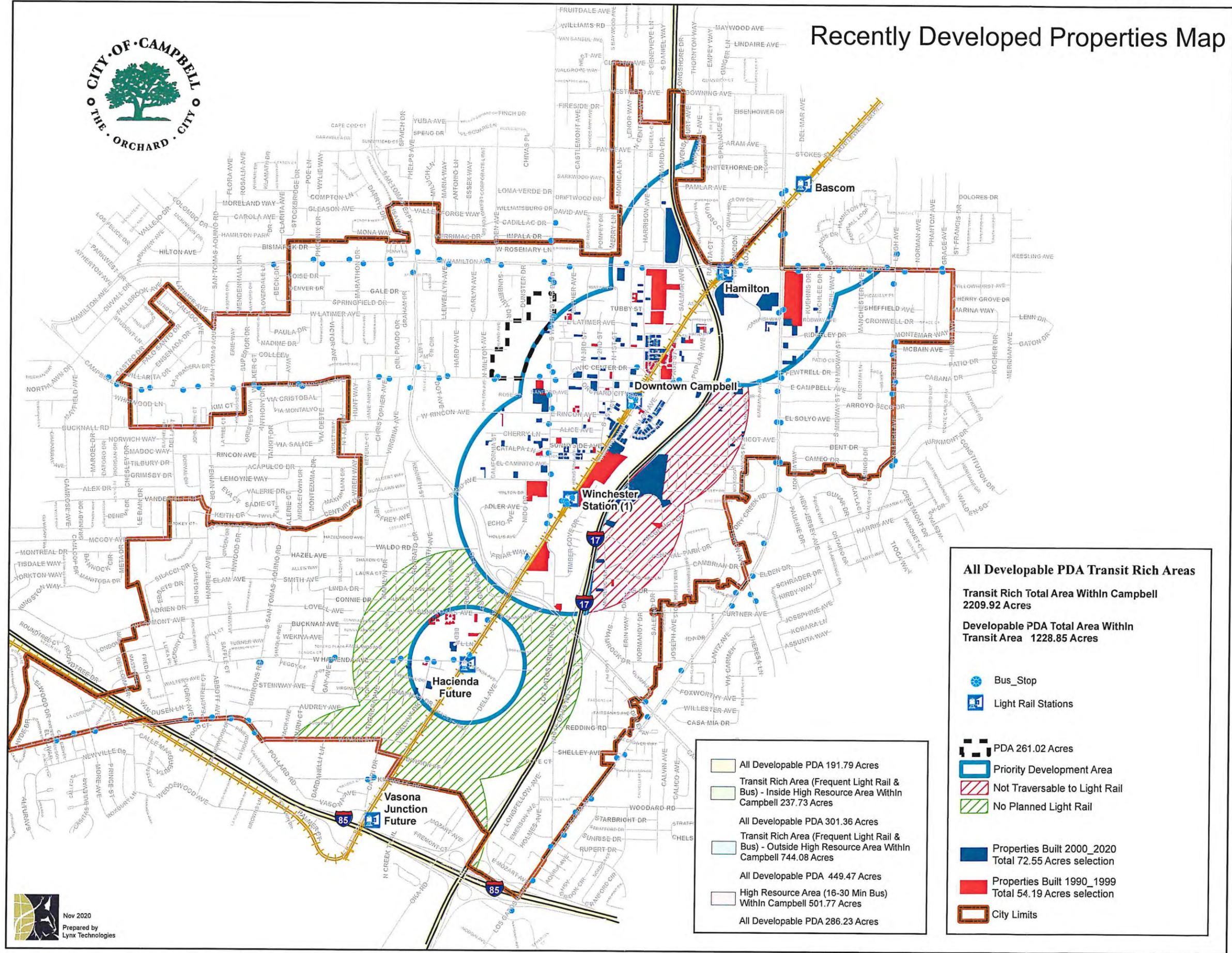
**Exclusion Properties 2020 Within
Transit And Vasona Junction
374.75 Total Acres**

- Owned By**
- City Of Campbell
 - Hospital
 - Natural Waterways/Ponds
 - S C V W D
 - Santa Clara County
 - Senior Housing
 - State of California
 - United States Postal Service
 - Churches
 - Parks
 - Schools
 - Jobs Center Required for Job Housing/Balance
 - City Limits

- All Developable PDA 191.79 Acres
- Transit Rich Area (Frequent Light Rail & Bus) - Inside High Resource Area Within Campbell 237.73 Acres
- All Developable PDA 301.36 Acres
- Transit Rich Area (Frequent Light Rail & Bus) - Outside High Resource Area Within Campbell 744.08 Acres
- All Developable PDA 449.47 Acres
- High Resource Area (16-30 Min Bus) Within Campbell 501.77 Acres
- All Developable PDA 286.23 Acres



Recently Developed Properties Map



All Developable PDA Transit Rich Areas

Transit Rich Total Area Within Campbell
2209.92 Acres

Developable PDA Total Area Within
Transit Area 1228.85 Acres

- All Developable PDA 191.79 Acres
- Transit Rich Area (Frequent Light Rail & Bus) - Inside High Resource Area Within Campbell 237.73 Acres
- Transit Rich Area (Frequent Light Rail & Bus) - Outside High Resource Area Within Campbell 744.08 Acres
- All Developable PDA 449.47 Acres
- High Resource Area (16-30 Min Bus) Within Campbell 501.77 Acres
- All Developable PDA 286.23 Acres

- Bus_Stop
- Light Rail Stations
- PDA 261.02 Acres
- Priority Development Area
- Not Traversable to Light Rail
- No Planned Light Rail
- Properties Built 2000_2020
Total 72.55 Acres selection
- Properties Built 1990_1999
Total 54.19 Acres selection
- City Limits



CITY OF CAMPBELL
Mayor's Office

August 5, 2020

Therese McMillan
ABAG/MTC Executive Director
Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Re: Plan Bay Area 2050: DRAFT Blueprint Growth Geographies

Dear Ms. McMillan:

The City of Campbell has had an opportunity to review the Draft Blueprint Growth Geographies that were prepared as part of the Plan Bay Area 2050 (PBA2050) development process. Understanding the Association of Bay Area Governments' (ABAG) and the Metropolitan Transportation Commission's (MTC) role in regional housing and transportation planning, the City Council received a presentation of the PBA2050 material at their July 21, 2020 meeting. Several growth geographies mapping observations were discussed and the City of Campbell City Council requests that you review these observations and consider modifications to the Draft Blueprint Growth Geographies.

The City understands that the use of Priority Development Areas (PDAs) and Priority Production Areas (PPAs) in the Growth Geographies are intended to improve the PBA2050's ability to meet challenging GHG reductions, housing and equity requirements. As you are aware, the City has one locally designated PDA which encompasses approximately 265 acres and it is centered primarily within Downtown Campbell and its surrounding two light rail stations (See **Exhibit A**). The vast majority of the City's existing PDA area identifies developable lands, except for the Campbell Community Center and a small portion of Los Gatos Creek. These areas have been the City's focus for housing production opportunities as reflected in the City's Housing Element.

Despite being the densest City in Santa Clara County, the City strives to be proactive in encouraging housing and commercial development. From review of the growth

geography maps, it appears several communities less developed than Campbell are planned for less development. The City believes growth expectations should take existing density into account to ensure growth is equitable. Specific to housing development, the City has policies requiring 15% of units in developments with 10 or more units to be affordable, and 20% of all units in developments with 5 units or more units to be 'accessory dwelling unit ready'. While the City continues to hear that communities are to blame for development delays, a considerable amount of delay is caused by developer delay in response to correction requests. It should also be recognized that despite the best intentions of a community, a City cannot force a developer to build or a property owner to sell their property and communities should not be penalized for actions outside of their control.

PDA Map & Eligible Acres Table: In review of the '[Spring 2020 Priority Development Area \(PDA\) Letter of Interest Guide Map](#)' which was used to generate the [PDA-Eligible Acres Table](#) it was found that the map included the Vasona and Hacienda as future stations. As you may be aware, the Santa Clara Valley Transportation Authority (VTA) Board voted to place the Vasona Light Rail Extension and Corridor Improvement Program on an indefinite hold at its September 5, 2019 meeting. As such, the baseline data used to determine the number of PDA eligible acres for the City of Campbell (2,621 acres), and potentially for other communities as well, was inaccurate and should be recalculated prior to including Transit-Rich Areas (TRAs) and High-Resource Areas (HRAs) in the studied growth geographies.

Further, while the City recognizes the opportunity provided by the Horizon Initiative to provide feedback on baseline data – baseline data should be recognized as a moving target when undertaking a multi-year study and should be reevaluated for accuracy and to account for stakeholder feedback up until the point Plan Bay Area 2050 is adopted. In review of the baseline data, the City believes Housing Elements should have been taken into consideration recognizing that opportunities exist outside of the PDA areas (i.e. identified housing opportunity sites) – particularly for communities with less than 50% of their PDA eligible acres designated. Further, recognizing that buses do not travel on fixed rails and change schedules, routes, and rates frequently based on ridership (changing several times over [last few years](#), and more recently in response to [COVID-19](#)) it is not appropriate for the City, or Plan Bay Area 2050 to plan for development reliant on such routes without assurance that the schedules, routes and rates used in the studied areas to establish potential PDA Map and Eligible Acres Table as well as the Draft Blueprint Growth Geographies would remain for the plan period.

Draft Blueprint Growth Geographies for Study: Review of the Draft Blueprint Growth Geographies mapping exercise reveals an underlying assumption that the areas falling within designated areas are directly correlated with a jurisdiction's ability to promote future housing and job growth within said areas. While this may be true in part and the City remains in support of assessing future growth opportunity areas, it is important to

recognize that not all 'acreage' can be developed. For example, if one were to analyze a coastal city and measured a one-half (½) mile radius around its downtown core, the ocean would be included in the jurisdiction's acreage calculation despite its inability to be developed. Recognizing that not all areas can be developed and applying that logic to the City of Campbell geography, the following should be considered as 'exclusions' from the eligible area calculations. For ease of reference these areas have been graphically depicted in the enclosed attachment¹ (reference **Exhibit B** – City of Campbell Exclusion Map).

- Public Parks (already understood to be excluded)
- Open Space, Los Gatos Creek, and the Los Gatos Creek Trail
- Valley Water Percolation Ponds
- Existing Special Needs and Affordable Housing (per Assembly Bill 1397)
- Campbell Community Center
- Campbell Civic Center
- Priority Conservation Areas (PCAs)
- Schools
- Churches
- Highways, Expressways, Roads
- PG&E Substations
- Recently developed properties (it is unlikely for new development to be redeveloped in the next 40 years)

The Campbell City Council believes that other jurisdictions have unique geographies as well and, therefore, requests that the Draft Blueprint Growth Geographies be modified to reflect individual jurisdictions' land constraints in forming the PDA-Eligible acres. In this regard, the final Plan Bay Area 2050 document will be a more accurate depiction of housing and job growth projections.

Sincerely,


Susan M. Landry
City of Campbell Mayor

Encl:

Exhibit A – City of Campbell PDA Map
Exhibit B – City of Campbell Exclusion Area Map

¹ Areas in white have been removed from the growth geographies based on the criteria listed with the exception of recently developed properties which are shown in red or blue based on construction date information.

City of Campbell PDA Map

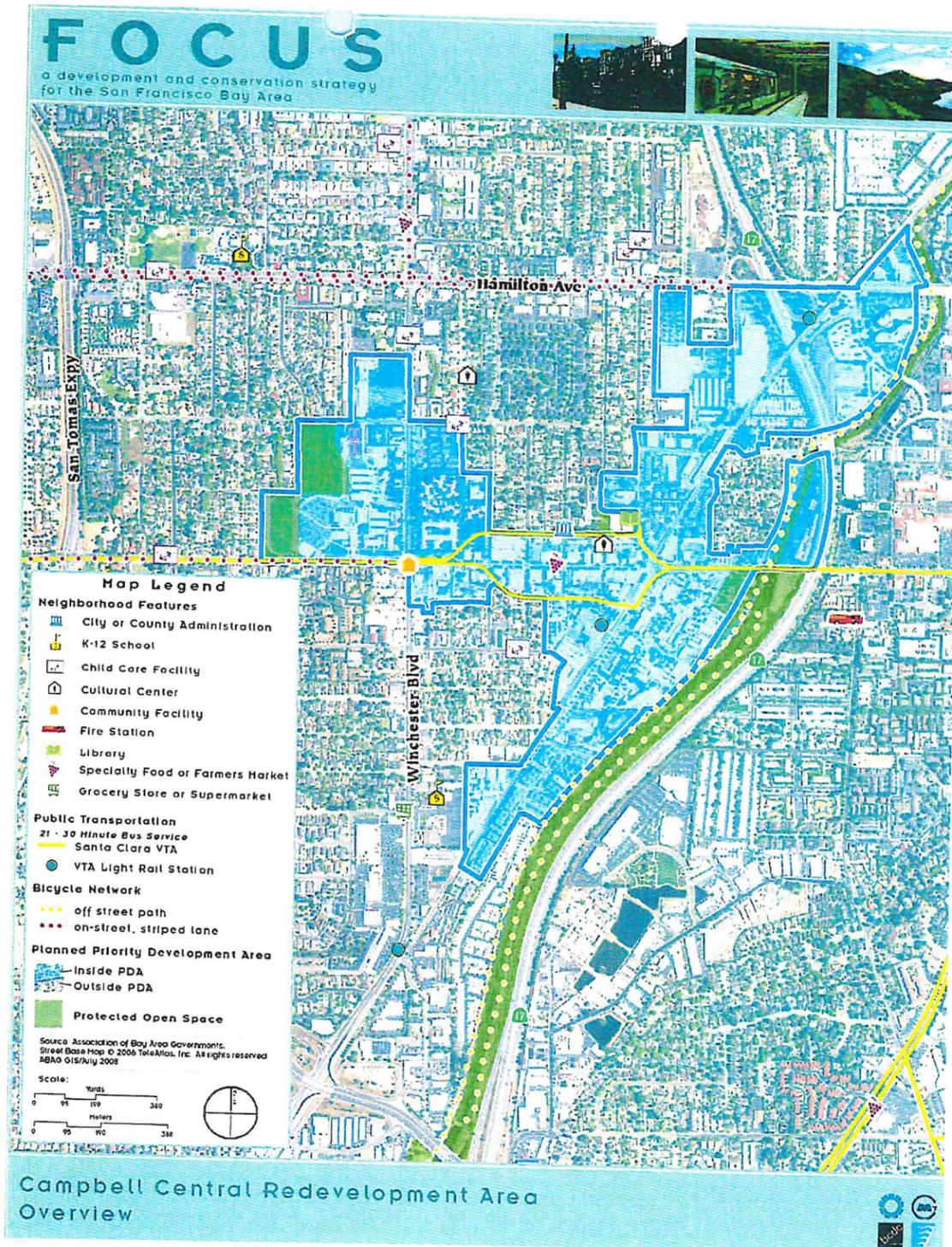


Exhibit A

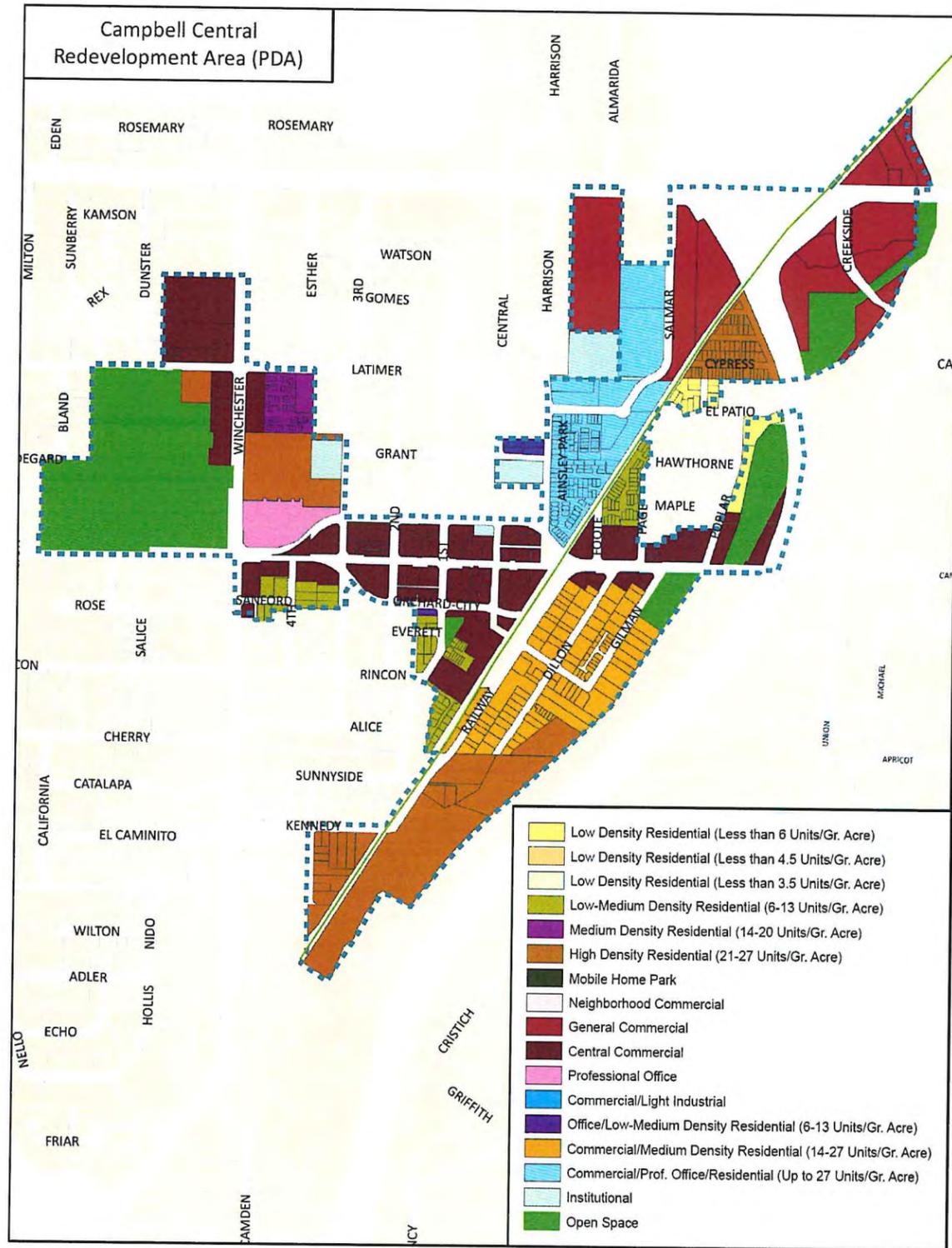
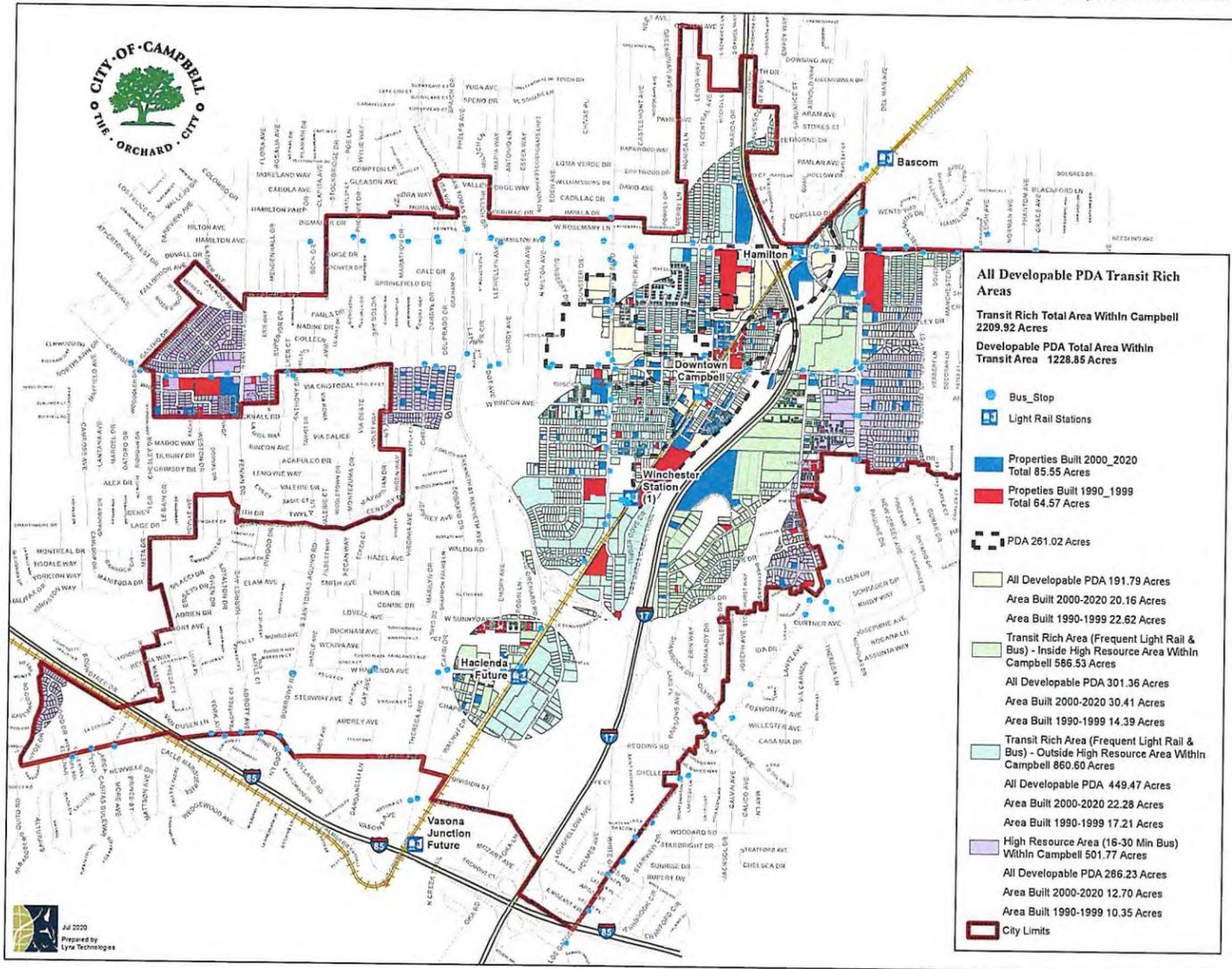


Exhibit B – City of Campbell Exclusion Area Map



Public Comment

Mr. Boone expressed he does not support BART extension to Santa Clara.

Mr. Lebrun made the following comments: 1) the level of transparency and clarity on how money is being spent on the BART Phase I extension; and 2) expressed concern with the amount spent for professional services.

On Order of Chairperson O'Neill and there being no objection, the Board of Directors received an update on VTA's BART Silicon Valley Program Budget.

7.3 **Vasona Corridor Light Rail Extension and Corridor Improvements Study**

Jason Kim, Sr. Transportation Planner, provided a presentation entitled "Vasona Conceptual Engineering Update."

Board Member Tran left his seat at 7:15 p.m.
Board Member Tran returned to his seat at 7:23 p.m.

Members of the Board discussed adding one station at West San Carlos without the full extension.

Public Comment

Kevin Kittila, Interested Citizen, made the following comments: 1) expressed support for putting the project on hold; and 2) halt the BART to San José Project until the money is available.

Mr. Lebrun commented on the following: 1) expressed concern that light rail is being discussed and not new technology; and 2) inquired about the study cost.

M/S/C (Davis/Chavez) to approve placing the Vasona Light Rail Extension and Corridor Improvements program on hold, discontinuing further project development activities and corresponding expenditures until operating needs warrant reopening the project.

| | |
|------------------|--|
| RESULT: | APPROVED – Agenda Item #7.3 |
| MOVER: | Dev Davis, Alternate Board Member |
| SECONDER: | Cindy Chavez, Vice Chairperson |
| AYES: | Carr, Carrasco, Chavez, Cortese, Davis, Liccardo, McAlister, O'Neill, Rennie, Tran |
| NOES: | None |
| ABSENT: | Jones, Peralez |

7.4 **Final Draft Response to the 2018-2019 Civil Grand Jury Report**

Jim Lawson, Chief External Affairs Officer, provided an overview of the staff report, noting the change made by the Governance & Audit Committee.



TOWN OF COLMA

1198 El Camino Real • Colma, California • 94014-3212

Tel 650.997.8300 • Fax 650.997.8308

November 12, 2020

Ms. Karen Mitchoff, Chair
ABAG Regional Planning Committee
c/o ABAG-MTC Public Information Office
375 Beale St, Suite 800
San Francisco, CA 94105

VIA EMAIL

RE: Town of Colma RHNA Methodology Allocation

Dear Chair Mitchoff:

The Town of Colma would like to comment on the proposed methodology for the RHNA 6 cycle and the draft subregion shares passed by the Executive Board at their meeting on October 15, 2020. The Town respectfully requests that the Town's RHNA allocation be substantially adjusted downward based on the information provided in this letter. We believe that the Methodology Committee drastically erred in its allocation for Colma by not properly considering RHNA Methodology Factor 2, Constraints to Development. In addition, while Colma is considered a transit-rich location, development opportunities are limited due to the encumbrance of 73% of the Town's land area for cemetery use and essentially no vacant land.

If proposed methodology scenario 8a is adopted, the Town will receive an allocation of 183 units. This represents a three-fold increase from the Town's allocation of 59 units from the RHNA 5 allocation and represents an unattainable and unrealistic 36% increase in the Town's total housing stock which developed over more than a 70-year period. The Town was able to satisfy its RHNA 5 housing goal by the development of the Town's only substantial designated housing site with a 66-unit affordable housing project for Veterans. The Town supports the development of housing where feasible.

Constraints to Development

The Town of Colma is less than 2 square miles with a resident population of approximately 1,500 people. The Town was incorporated in 1924 to protect cemeteries from the forced

John Irish Goodwin, Mayor
Diana Colvin, Vice Mayor

Helen Fisicaro, Council Member • Raquel P. Gonzalez, Council Member • Joanne F. del Rosario, Council Member
Brian Dossey, City Manager

relocations that occurred in San Francisco. Approximately 73% of the Town's land area is in cemetery use or planned cemetery use and cannot legally be used for any other purpose. The Town believes that the Methodology Committee should have applied a substantial offset to housing production based on the objective reality of Colma's unique land use constraints.

RHNA Methodology Factor 2, Constraints to Development, item C, excludes lands preserved or protected from urban development under existing state or federal programs. While the primary focus of this factor is protection of agricultural lands and sensitive habitats, it also applies to cemeteries regulated by the California Cemetery and Funeral Bureau. Cemetery lands should be fully excluded from all modeling and land use scenarios.

Inability to Meet State Housing Element Requirements

The Town of Colma is pleased to have certified all previous Housing Elements with the State and has worked faithfully to meet its housing goals. The Town is concerned that the state may not accept the designation of potential housing sites in Colma which are not "vacant" and which may not develop within the 8 year time frame under the new site designation criteria. If the Town is unable to designate housing sites, the Town will not be able to request certification of our Housing Element. We have only two sites which we believe can accommodate approximately 60 units and meet the site selection criteria for the current RHNA cycle. While the Town is planning for and anticipates development of mixed-use housing on a couple of existing commercial sites in the long-term, the designation of these sites is premature since they are still occupied and have viable commercial uses.

For the reasons outlined above, the Town respectfully asks that you reconsider the allocation methodology and reduce the housing allocation for Colma. Thank you for your consideration, and this opportunity to provide comment.

Sincerely,



John Irish Goodwin, Mayor

Cc: Jesse Arreguin, President, ABAG Executive Board
San Mateo County Supervisor David Canepa
Town of Colma City Council
Christopher Diaz, Esq., City Attorney

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CITY COUNCIL
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Carlyn S. Obringer
Patti Barsotti, City Treasurer
Valerie J. Barone, City Manager

November 24, 2020

Mayor Jesse Arreguín, President
ABAG Executive Board
Association of Bay Area Governments
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Dear President Arreguín:

On behalf of the City of Concord, I am submitting this letter in opposition to the proposed allocation methodology for the 2023-2031 Regional Housing Needs Allocation (RHNA). This letter is submitted during the public comment period that concludes on Friday, November 27, 2020.

As I stated in my letter dated September 17, 2020, I want to reiterate our appreciation to both the Housing Methodology Committee (HMC) and ABAG staff for their year-long effort of developing, preparing and considering RHNA methodologies. The work completed by staff to provide the HMC with detailed analysis to further informed decision-making was thorough and admirable considering the time constraints. We further appreciate the HMC's consideration of our input to date and utilizing the draft "Plan Bay Area 2050" as the baseline data methodology.

The City of Concord acknowledges that the ABAG Executive Board voted to support the Modified High Opportunity Areas Emphasis ("Option 6A") methodology at the October 15, 2020 meeting. At that meeting, the Executive Board considered a number of methodologies, each crafted from a combination of a variety of weighted "factors." As the Bay Area region continues to face a housing supply emergency, the preferred methodology supported by a majority of the Executive Board poses a significant concern to the City of Concord and other jurisdictions.

The supported methodology is problematic and is not the methodology that will result in the greatest opportunity to increase housing supply or address critical issues facing the region. The following are a summary of concerns that inform the City of Concord's opposition:

1. **Weighting the allocation on "high opportunity areas."** The preferred methodology includes factors that will drive the allocation of units to "high opportunity areas," rather than to urbanized areas where the vast majority of jobs have been created. As provided in methodology 6A, "high opportunity areas" could include areas with significant infrastructure constraints, greenfield development, poor proximity to transit, and areas that have been previously developed with lower-density residential uses. The

constraints that exist in many of these areas will not result in the actual production of residential units, thereby potentially intensifying the ongoing deficit of supply.

2. **Failure to comply with RHNA statutory objective to “Improve intraregional jobs-housing relationship.”** As previously stated in written and oral testimony, areas with the largest job growth from 2010-2016 have not produced their fair share of housing units in the region and the disparity between jobs and housing in some of the region’s communities is drastic and overtly inequitable. The City of Concord, being the city with the largest share of job generation in Contra Costa County, has also acknowledged a need for and has planned to accommodate production of its fair share of housing units.

A weighted allocation methodology that increases development pressures on suburban, exurban and rural areas is simply not consistent with the statutory objective of the RHNA process to *“improve the intraregional jobs-housing relationship.”*

3. **Lack of compliance with AB 32 and SB 375 by furthering sprawl.** Weighting the allocation methodology so heavily on “high opportunity areas” will simply exacerbate and encourage development in areas that do not have the carrying capacity to increase density, or will further inequities by causing lower-income households to increase commute times traveling from outlying exurban areas to job centers, which is contrary to the mandates of AB 32 and SB 375, whereby the State of California is required to reduce its greenhouse gas (GHG) emissions. In certain areas where significant environmental and infrastructure constraints such as a lack of viable water supply and sewer service exist, housing units will simply not be constructed due to the costs associated with impact mitigation.

Further, this level of focus on “high opportunity areas” is in conflict with the statutory objectives of RHNA, including *“Promoting infill development and socioeconomic equity.”*

4. **Negative impact on quality-of-life and transportation systems.** An allocation methodology that results in more units assigned to suburban, exurban and rural areas such as eastern Contra Costa County, unincorporated Solano, Napa and Sonoma Counties and southern Santa Clara County will exacerbate long commute times on overtaxed transportation systems, degrade quality of life and strength of community as workers spend more time away from their homes and families.

In summary, the City of Concord recognizes the critical need to address a statewide housing supply crisis, currently estimated to be a deficit of 3.5 million units. The acute nature of this shortfall requires cities and counties to reduce barriers and streamline processes to remove constraints and focus on high-quality, inclusive residential development of all types. We believe in factors that:

- a. **Allocate housing growth near job centers.** ABAG’s own analysis shows a clear indication that certain areas of job growth did not produce accordant level of residential development, by a significant margin, from 2010-2016. Allocating residential units to areas that have enjoyed significant job growth will reduce long commutes, and reduces GHG emissions and impact on already-taxed transportation systems. Increasing the number of units allocated to areas of significant job growth, such as urbanized areas of Santa Clara County, will provide additional opportunities for those that are working in lower-paying jobs – such as retail and service industries – to live closer to their employment.

- b. **Discourage housing growth in suburban, exurban and rural communities** where physical, environmental and infrastructure constraints are more likely to exist, as these areas are least likely to produce the needed housing units during the RHNA reporting period.
- c. **Sprawl negatively impacts health, environmental quality, quality-of-life, and strong, connected communities.** In increasing the weight of “high-opportunity areas” for a greater share of housing unit allocation, the practical outcome will result in an increase in development pressure on the outer fringes of the Bay Area region, where land is generally less expensive. Job generation, however, continues to be centered in San Francisco, Oakland, and urbanized areas of San Mateo and Santa Clara Counties. Reliance on this methodology will exacerbate sprawl into outlying areas – resulting in the region not meeting State-mandated GHG reductions – and continue to impact the health and quality-of-life of the workforce required to commute to job centers.

In consideration of the aforementioned factors, the City of Concord opposes the methodology supported by a majority of the ABAG Executive Board. Additional analysis of the preferred methodology is needed to understand the local, sub-regional and regional impacts of the final allocation.

Sincerely,



Tim McGallian
Mayor
City of Concord

CC: Concord City Council
Valerie Barone, Concord City Manager
Joelle Fockler, Concord City Clerk
Andrea Ouse, AICP, Concord Community Development Director
Mindy Gentry, Concord Planning Manager



Jesse Arreguin, President
MTC/ABAG Executive Board
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

RE: Housing Methodology Committee recommendation – comments and concerns

Dear President Arreguin:

Today is a monumental day for the entire Bay Area as the MTC/ABAG Executive Board considers and votes to recommend that the State Department of Housing and Community Development (HCD) adopt the Bay Area's 6th cycle Regional Housing Needs Allocation (RHNA), allocation methodology. This vote is the culmination of hours of work by staff from the entire Bay Area and we want to express our gratitude to the entire HMC and ABAG/MTC staff and consultants for supporting this comprehensive effort. We recognize their hard work and appreciate the continued and direct assistance to our jurisdictions.

As has been previously stated in multiple comments, the North Bay communities are supportive of the HMC decision to utilize the draft Plan Bay Area (PBA) 2050 Blueprint's projected 2050 household data as the baseline in establishing the 6th cycle RHNA for Bay Area communities, as the Draft Blueprint provides similar guiding principles to those adopted by the HMC. However, this assumes the underlying data and assumptions in the 2050 Blueprint model are accurate and comprehensive. As the North Bay communities have recently been given the opportunity to analyze into the data in a meaningful way, multiple concerning errors have been identified, especially for rural communities such as Cotati unincorporated Sonoma County. These errors have been communicated directly to MTC/ABAG staff however no meaningful responses regarding how the data will be corrected have been provided. As such, if the draft PBA is to form the baseline for the RHNA allocation, the Cotati City Council formally requests that:

- 1) MTC/ABAG create a formalized process allowing direct and meaningful methods to have these identified data errors be communicated and corrected; and
- 2) The finalized data and development assumptions used to predict how land will develop under the PBA 2050 Blueprint, be accurate and account for existing real-world constraints; and
- 3) That the Executive Committee not vote to support a methodology that is based on demonstrably incorrect data without committing to meaningfully address such issues.

As identified in previous comments (attached), significant errors in modeling data appear to be erroneously inflating population growth projections in the North Bay unincorporated counties and some rural cities. It is critical that a process be created to ground-truth this information to ensure proper accounting for our unique community constraints. The impacts of these errors are only compounded by the HMC decision not to formally include natural hazards into the allocation methodology as demonstrated by the tragic and on-going impacts of the Tubbs, Kincade, Shady and Glass fires, which have continued to ravage our communities since 2017.

Ultimately, the goal of the HMC, MTC/ABAG, all Bay Area jurisdictions and the HCD should be to ensure adequate housing is provided to meet the needs of our varied and diverse communities in a manner that meets the statutory objectives of the RHNA. Specifically these objectives are to:

- Increase housing supply & mix of housing types, tenure & affordability in an equitable manner
- Promote infill development & socioeconomic equity, protect environmental & ag resources, & encourage efficient development patterns (the State “planning priorities”)
- Promote improved intraregional jobs-housing relationship including jobs housing fit
- Balance disproportionate household income distributions (more high income RHNA to lower income areas and vice-versa)
- Affirmatively furthering fair housing

The Cotati City Council questions how the MTC/ABAG Executive Board and ultimately HCD could support a methodology that does not include a process to address these errors. Comments provided to date have identified that the North Bay data assumptions appear to push sprawl development into agricultural and environmentally sensitive areas; away from city-centered transit, infrastructure and jobs; and are not distributing a mix of housing types in a way that affirmatively furthers fair housing. The Cotati City Council further wishes to express concern over how the impacts of the current data assumptions may affect individual communities ability to achieve a certified Housing Element under the new 6th cycle Housing Element legislative requirements.

In summary, while the choice to use PBA 2050 data as the baseline for RHNA allocations is supported as a sound planning policy, the use of this data must include a correct data errors as they are identified and communicated. Without an effective accounting for constraints and allowance for needed corrections, the resulting growth projections will not meet the statutory objectives of RHNA and may counter-productively preclude some jurisdictions from achieving Housing Element certification. Ultimately, this lack of statutory conformance and reduction in housing grant funding will result in less homes being built overall, and for the homes that are built to perpetuate the discriminatory policies that have created the issues we are now trying to solve. Please take these comments under serious consideration in any decisions made to support the HMC RHNA methodology and to finalize the PBA 2050.

Sincerely,



Wendy Skillman
Mayor
City of Cotati

Enclosed:

1. September 29, 2020, SCTA Comment Letter
2. October 15, 2020, City of Cotati Draft Blueprint/Urban Sims Data Comments + Corrections Identification Email-Noah Housh, City of Cotati Community Development Director



Sonoma County Transportation Authority
Regional Climate Protection Authority

September 29, 2020

Jesse Arreguin, President
MTC/ABAG Executive Board
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

RE: Housing Methodology Committee recommendation – comments and concerns

Dear President Arreguin:

First, we want to express our gratitude to the entire HMC and ABAG/MTC staff and consultants for supporting this monumental effort. Further the Planning and Community Development Directors and SCTA staff wish to specifically acknowledge the dedication of Gillian Adams, Dave Vautin, Paul Fassinger, Ada Chan, Aksel Olsen, Eli Kaplan and all of the other individuals whom have worked so diligently to support the HMC. We recognize their hard work and appreciate their continued and direct assistance to our jurisdictions.

At its September 18, 2020 meeting, the HMC voted to utilize the draft Plan Bay Area 2050 Blueprint's projected 2050 household data as the baseline in establishing the 6th cycle Regional Housing Need Allocations (RHNA) for Bay Area communities. Because the Draft Plan Bay Area (PBA) Blueprint provides similar guiding principles (<https://www.planbayarea.org/2050-plan/plan-bay-area-2050-blueprint>) as those adopted by the HMC, this seems a strategic and logical approach that would move the Bay Area toward these guiding principles. However, this assumes the underlying data and assumptions in the 2050 Blueprint model are accurate and comprehensive. In practice, North Bay communities are realizing, ***the implications of using a 30-year projection to establish an 8-year RHNA are significant and may have unintended consequences, especially for our rural communities and areas of unincorporated counties.*** Given this, if the draft PBA is to form the baseline for the RHNA allocation, then it is critical that:

- 1) The data input and development assumptions used to predict how land will develop must be accurate and account for existing real-world constraints; and
- 2) The growth assumptions must account for the two very different time frames (8 years vs. 30 years) and appropriately account for (but not over emphasize), the widespread economic crisis caused by the COVID-19 pandemic.

To ensure proper accounting for these issues, the Sonoma County Community Development Directors, Planning Directors and SCTA planners have repeatedly requested the data and the development assumptions that ABAG/MTC is utilizing for its modeling. Unfortunately, we have yet to receive the development assumptions, and only received the GIS (layer) zoning assumptions on Friday, September 25. Despite the delay in providing the requested data, ABAG staff has requested our communities each report back on any errors in this data by Wednesday, September 30, effectively providing our staff less than 3 working days to examine GIS data that

took years to build and to identify its errors. As identified below, a few hours spent examining this data has already revealed significant errors that appear to be erroneously inflating populations and projections in the unincorporated county and in some rural cities. ***Additional time is needed for the comprehensive data and assumptions used in the draft PBA Blueprint to be provided by ABAG/MTC staff, and to be truth-tested to ensure proper accounting for our unique community constraints. This need for additional time is only compounded by the tragic impacts of the Shady and Glass fires currently ravaging our communities.***

Data errors identified by Sonoma County jurisdictions

Without having the requested GIS layers from PBA available to check for errors, local staff have resorted to using the static .pdf graphic provided to each jurisdiction by ABAG. These .pdf maps are not interactive and do not provide any wayfinding information such as streets and roads to assist with orienting and ensuring accuracy with the review. Nonetheless, North Bay staff toiled to make side-by-side comparisons with our own GIS maps and have identified several significant errors.

Specifically, high-density housing assumptions are made in the PBA 2050 data in the following areas, either erroneously or in violation of RHNA objectives:

- In graveyards
- In floodways
- On rural recreational lands many miles from any services (at least 20 instances in unincorporated county)
- Adjacent to freeways with high pollution emission rates
- In industrially designated areas adjacent to noxious land uses
- In areas identified and certified as Priority Production Areas by ABAG/MTC
- Increased densities adjacent to high wildfire areas

In several unincorporated areas, the shape files for high-density housing do not have any relationship to parcel boundaries, roads or zoning districts; rather they appear to have been included randomly. There are clearly a large number of mapping errors that need to be corrected based on existing and known constraints (such as those listed above). If such significant errors were found in only a few hours and using information provided in a limited format, it calls into question the accuracy of the growth projections of the entire model.

While ABAG staff did contact local jurisdictions to ask them to review their data a year ago, the data was provided only as a spreadsheet with hundreds or thousands of data entries and no mapping or development assumptions being given. As such, this format did not result in a true “project referral” or productive engagement as the results clearly identify. Now that the maps have been included and staff can visually check for errors, the Directors and SCTA staff ***request a review period of three weeks following receipt of the requested data and development assumptions from ABAG staff, to review and identify errors in mapping and development assumptions. Further, this feedback needs to be meaningfully incorporated into the data and modeling projections before the RHNA baseline is set and growth is allocated.***

Infrastructure Constraints and Sites Requirements

All Sonoma County jurisdictions are concerned about the assumptions made in the draft PBA related to infrastructure. The resulting development assumptions (which we still have not received) made in the 30-year 2050 PBA timeline do not translate well into the 6th cycle RHNA planning period of 8 years. The use of PBA 2050 development assumptions and 25-year growth projections, which do not account for the 8-year RHNA timeline, deliver obscenely high numbers to unincorporated and rural communities which currently lack the infrastructure to serve the projected high-density growth. It is important to note that HCD is legislatively prohibited from allowing jurisdictions to “count” sites that will not be available for development within the 8-year housing element period. The end result is that jurisdictions allocated shockingly high numbers of growth without the means to develop the infrastructure needed to support such growth, will never be able to identify adequate sites to meet the statutory sites criteria and thus will not be able to achieve certification of their housing elements. Because grant funding for housing now requires a certified housing element, the use of the PBA assumptions will preclude these jurisdictions from receiving any funding to support housing development. ***The Directors and SCTA staff request that such areas identified for growth in the draft PBA 2050 Blueprint NOT be included in a jurisdiction’s RHNA allocation for the 6th cycle unless infrastructure can be provided within the 8-year timeframe of the planning cycle. Setting these jurisdictions up for Housing Element failure is not good planning policy and will not result in housing being built.***

Environmental Justice, Climate Change and Covid-19 Related Issues

The chosen allocation methodology must meet the six statutory objectives of RHNA, including affirmatively furthering fair housing. This means that the RHNA allocation must take ***meaningful action to overcome patterns of segregation*** and to ***replace segregated living patterns*** with integrated and balanced communities. Unfortunately, mapping done for the PBA 2020 Blueprint reflects a perpetuation of segregated housing patterns by placing higher-density housing allocations into environmentally inferior areas that are already home to the region’s poorest populations by virtue of having the lowest land costs. This, in turn, causes the RHNA allocation methodology to fail to meet the 5th statutory objective of RHNA. ***If the draft PBA 2050 Blueprint is to be used as a baseline for the RHNA allocation, the PBA data and projections must also be corrected to meet the six statutory objectives of RHNA, including to remove assumed high-density housing developments from areas that are environmentally inferior such as in flood zones, in polluted areas, adjacent to freeways, within industrial areas with high emissions and in high wildfire areas.***

Additionally, the specific development assumptions for PBA2050 should be made available for comment by the public, and then discussed by the Regional Planning Committee (RPC), HMC and ABAG Executive Board. For instance, it is our understanding that future sea level rise (e.g. current and future flood plain areas) is included as a development constraint for coastal areas, but neither current nor future FEMA regulatory flood plain areas outside of coastal communities are being included. This is not good planning and is an inconsistent approach to identifying and applying the development constraints of climate change, across all Bay Area communities. This is yet another example of why the underlying data and assumptions must be made available, so that local planners can assist ABAG/MTC staff in identifying and correcting these types of issues using our collective localize

knowledge of the issues we understand as lead agencies. Similarly, the additional adjustments to the development constraints and assumptions resulting from the Covid-19 pandemic (such as telecommuting assumptions) should also be provided to the public for discussion by the RPC, HMC and ABAG Executive Board.

In summary, while the choice to use PBA 2050 data as the baseline for RHNA allocations makes sense and can achieve good planning policy (such as thoughtful planning for development in high hazard areas), the use of this data must include means to separate the 8-year RHNA cycle from the 25-year growth model horizons. Without an effective accounting for constraints and allowance for needed corrections, the resulting growth projections will not meet the statutory objectives of RHNA and will counter-productively preclude jurisdictions from achieving Housing Element certification. Ultimately, this lack of statutory conformance and reduction in housing grant funding will result in less homes being built overall, and for the homes that are built perpetuating the discriminatory policies that have created the issues we are now trying to solve. Please take these comments under serious consideration and utilize the feedback provided to improve the PBA 2050 modeling.

Thank you,

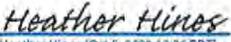
Sonoma County Planning and Community Development Directors



Jeff Beiswenger (Sep 30, 2020 08:54 PDT)
Jeffrey Beiswenger
Planning Manager, City of Rohnert Park



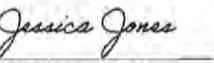
Clare Hartman
Deputy Director – Planning, City of Santa Rosa



Heather Hines (Oct 5, 2020 13:26 PDT)
Heather Hines
Planning Manager, City of Petaluma



Noah Housh (Sep 30, 2020 08:54 PDT)
Noah Housh
Director of Community Development, City of Cotati



Jessica Jones
Community Development Director, Town of Windsor

Janet Spilman

Janet Spilman (Oct 5, 2020 14:55 PDT)

Janet Spilman

Director of Planning, Sonoma County Transportation Authority

David Storer, AICP

David Storer, AICP (Sep 30, 2020 11:57 PDT)

David Storer, AICP

Planning and Community Services Director, City of Sonoma

Kari Svanstrom

Kari Svanstrom (Sep 30, 2020 08:39 PDT)

Kari Svanstrom

Planning Director, City of Sebastopol

Kevin Thompson

Kevin Thompson (Sep 30, 2020 15:00 PDT)

Kevin Thompson

Assistant City Manager/Community Development Director, City of Cloverdale

Tennis Wick

Tennis Wick

Director, Permit Sonoma, County of Sonoma

David Woltering, AICP

David Woltering, AICP (Oct 2, 2020 03:28 PDT)

David Woltering, AICP

Interim Community Development Director, City of Healdsburg

cc: Therese McMillan, MTC Executive Director
Matt Maloney, MTC Director of Regional Planning
Suzanne Smith, SCTA Executive Director

From: [Noah Housh](#)
To: jcroff@bayareametro.gov
Cc: [Ada Chan](#); [Jane Riley](#); [Janet Spilman](#); "[Hines, Heather](#)"; [Christopher Barney](#)
Subject: City of Cotati Draft Blueprint/Urban Sims Data Comments + Corrections
Date: Thursday, October 15, 2020 5:46:00 PM

Hi Joshua,

Following up on the recent discussions ABAG/MTC staff have been having with some of the Sonoma County communities regarding the data inputs to the Urban Sims model and resulting Draft Blueprint 2050, please see the following list of comments and corrections for the City of Cotati data.

1. The spreadsheet data is generally accurate except that our Commercial Industrial Zoning District is identified as appropriate for residential development at 15 d/u per acre. This is inaccurate-this category is essentially a light industrial zoning district and is not appropriate for any residential development. Therefore all of these properties should be removed from the areas available for residential development in the dataset and model and identified as "No Residential Uses Allowed". This specific parcel data is identified as: name_pba40 902 Commercial Industrial
2. See below for a few specific parcels identified as pink on the PBA50 map but I cannot understand why they are identified for high density residential development. Generally, in these cases they are a single parcel or small groups of parcels in Rural Residential areas, Industrial or Commercial districts that are not significantly different than the surrounding properties, but have been highlighted as appropriate for high density development where the surrounding properties have not.
 - A. APN 046-111-018 is the City's Corporation Yard, and is also in the Commercial Industrial district (mentioned above) and is not appropriate for residential development at all. Parcel ID 1930272 on the PBA50 Map
 - B. APNs 144-230-021 and 144-230-018 are both Rural Residential properties at the edge of the City and are not appropriate for higher density housing. The spreadsheet includes the accurate d/u per acre allowed in this district as does the parcel data, but they are also highlighted pink on the PBA50 Map as appropriate for higher density development. Parcel IDs 2010557 & 2010554
 - C. Five lots in the Low Density District on the edge of town are also pink on the PBA50 map and would not be good locations for higher density homes. These properties are further complicated by being at the end of a dead-end access road and under significant natural hazard risks (APNs 144-420-026; 144-420-017; 144-420-016; 144-420-011 and 144-420-015) Parcel IDs 2011097; 2011090; 2011089; 2011088; 2011085
 - D. Parcel ID 2010222-Industrial property adjacent to HWY 101
 - E. Parcel ID 2010806-Split zoned parcel developed with a gas station-ok with rear half of property being included in residential calculations/projections as 15 d/u per acre but E. Cotati Avenue portion inappropriate.
 - F. Parcel ID 2011566 and 2011398-both of these parcels are Public Bike Paths
3. See below for several parcels in the un-incorporated County surrounding Cotati that are identified as appropriate sites for high density housing (36 d/u per acre) and should definitely not be in my opinion.

- A. APN 046-181-019 is the location of Carl's Body Shop and junk yard and has been occupied as an industrial use for decades-definitely not a good location for residential uses. Parcel ID 1930599
- B. APN 046-182-010 is a rural residential property on well and septic with Cotati Creek running through it, and appearing to provide on-site wetland habitat. This is similarly not a good location for the high density housing identified.
- C. There are 7 parcels on the west side of the HWY 116/Stony Point Rd intersection identified for development at 36 d/u per acre. This location has no sewer or water services, is adjacent to a creek and has limited access to any services. Parcel ID 1930102 is the central parcel.
- D. Parcel ID 1930144-Issolated agricultural/rural property at the end of a dead end road in Tiger Salamander/Wetland Habitat.

Please let me know when the corrections have been implemented and feel free to follow up with any questions.

Thank you!

Noah Housh

Director of Community Development
City of Cotati
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MAYOR STEVEN SCHARF
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November 25, 2020

ABAG Regional Planning Committee Members
Submitted Via Email To: info@bayareametro.gov

RE: Comments on Recommended RHNA Methodology Released for Public Comment by ABAG

Dear ABAG Regional Planning Committee Members:

Thank you for the opportunity to provide comments on the recommended Regional Housing Needs Assessment (RHNA) methodology.

The City of Cupertino believes that the recommended RHNA methodology (Option 8A), without modifications, will result in a significant number of jurisdictions appealing both their own and others' draft RHNA allocations. However, if proactive steps are taken now then the number of appeals can be reduced.

The RHNA methodology 8A fails in several significant areas:

1. The methodology does not give sufficient weight to a city's jobs/housing balance. Cupertino's City Council has intentionally not approved large new commercial office projects despite the business tax revenue that such projects provide. As a result, Cupertino has maintained a relatively good jobs to housing ratio. Currently (rounded to the nearest thousand):
 - The City of Cupertino has 41,000 jobs and 22,000 housing units (jobs/housing ratio of 1.86).
 - The City of Santa Clara has 144,000 jobs and 71,000 housing units (jobs/housing ratio of 2.00).
 - The City of Palo Alto has 98,000 jobs and 28,000 housing units (jobs/housing ratio of 3.50).
 - The City of San Francisco has 760,000 jobs and 399,000 housing units (jobs/housing ratio of 1.90)
2. An intentional result of the approach to rein-in large office projects, is that Cupertino has maintained an excellent jobs to housing ratio, the second best of any jobs-rich city in Santa Clara County. The strategy of not approving new commercial office space was specifically to avoid receiving large RHNA requirements in future RHNA cycles. However, Cupertino has been assigned an extremely high RHNA for the 2023-2031 cycle, more than 5x the number received in the 2015-2023 cycle. If property owners actually built that many housing units, it would result in much more traffic congestion and

Greenhouse Gas Emissions (GHG) as new residents commute from Cupertino to jobs-rich areas with large amounts of commercial office growth.

3. The methodology does not consider past and future job growth. It is vital to consider a City's projected housing deficits that will result from large commercial office projects that have already been approved. For example, the Related project in Santa Clara has a housing deficit of 14,600 units, the Central SOMA project in San Francisco has a housing deficit of 5,300 units, and the Google project in San Jose has a housing deficit of 15,000 units (using a very conservative 250 square feet per office worker). These huge housing deficits are not sustainable and will result in increased traffic congestion and GHG emissions as workers commute from housing-rich cities. Cupertino's Vallco SB-35 project has a housing deficit of over 3,100 units but that project was ministerially approved and the City Council would never have approved a project with such a large housing deficit because it would result in future, larger, RHNA requirements.

By contrast, the Apple Park project in Cupertino had an increase of only about 2,000 jobs (versus the previous Hewlett-Packard campus on the same site) and Cupertino constructed sufficient new housing to accommodate that increase. Punishing cities that have behaved responsibly when it comes to balancing jobs and housing is not only unfair, it worsens GHG emissions as new residents must drive to work in other cities.

Cupertino believes that cities that have approved disproportionately high amounts of new commercial office construction, without commensurate amounts of new housing, need to be assigned higher RHNA numbers until their jobs to housing ratio improves to a sustainable level.

4. The methodology inadequately considers the availability, or lack of availability, of mass transit. Cupertino is not served by Caltrain, ACE, BART, or VTA light rail. Cupertino, while traversed by two major freeways: SR-85 and I-280, has no freeway Express Lanes. Furthermore, VTA has continued to reduce bus service to Cupertino and other West Santa Clara County Cities, by both eliminating existing bus routes and shortening other routes. VTA is also planning significant further reductions in service to address financial issues. In short, Cupertino has no high-quality transit service and further cuts in the existing low-quality transit are expected.
5. The methodology does not sufficiently consider the availability of land for new housing which has the net effect of reducing the potential jobs growth for the city, and future housing need. Cupertino is completely built-out, all sites zoned for office development have been developed and the General Plan has minimal potential for job growth. Sites which are currently commercial and industrial will likely need to be rezoned for residences which will drastically reduce their job potential. While it is possible that some commercial office building owners could replace their buildings with high-density housing, the glut of market-rate housing in Silicon Valley (even pre-Covid), falling rental rates, the lack of State or Federal funding for subsidized BMR (Below Market Rate) housing, and the lack of interest of private developers in constructing high-density housing (both BMR and market-rate) combine to make this methodology likely to fail to achieve its goal of creating additional affordable housing.
6. The methodology does not consider the long-term changes in housing, work, and transportation that were occurring even pre-pandemic. Experts agree that the exodus

from high-density, high-cost areas, that lack the type of housing desired by Bay Area residents, will continue long after the current pandemic is over; this will be aided by the ability to remote-work, businesses' desire to lower the cost of operations, the housing flexibility created by 2020's Proposition 19, the reduced need for super-commutes, and the much lower-risk of infectious disease transmission in lower-density housing.

7. The methodology does not consider the unwillingness of property owners to build large amounts of high-density housing given the market conditions that are likely to continue for most of the 2023-2031 period, and that existed even pre-Covid.

In the current, 2015-2023 RHNA cycle, Cupertino approved all the projects in its Housing Element, far exceeding our 1,064-unit RHNA requirement. Cupertino currently has 3,457 entitled units, however only a single project has been completed: a 19 unit, 100% affordable, apartment complex of eighteen, 350 square foot, studios plus one manager's apartment. This project cost nearly \$800,000 per unit to construct. The current RHNA affordable unit allocation would require funding for over 2,500 Very Low and Low Income units at a cost approaching \$2 Billion with no identified funding source.

All four of the other Housing Element Sites from our 2015-2023 Housing Element, remain unbuilt despite having approved projects; the property owners have not yet pulled permits or begun construction even though we are five years into the current RHNA Cycle.

Cities have no means to force property owners to construct approved projects. The current glut of unaffordable market-rate housing, the glut of unleased Class A commercial office space, falling rents (both for housing and office space), and the desire of residents for different types of housing than is included in the approved projects will provide, has resulted in property owners not moving forward with construction.

RHNA Requirements for Affordable Housing vs. Limits on Cities' Inclusionary Housing Requirements

Both the current cycle, and future cycle RHNA requirements have created a Catch-22 for many cities. In Cupertino, we require 15% Inclusionary BMR for rental housing and 20% Inclusionary BMR in for-sale housing, yet Cupertino's 2023-2031 affordable requirement is 57% of 6,223 units. What this means is that over 10,000 more market rate units would need to be built in order to reach the 15% or 20% BMR requirements. Property owners already are not constructing their 2015-2023 RHNA Cycle projects, with one allegation being that Cupertino's requirement for Inclusionary BMR housing now makes the approved projects financially infeasible because of the falling rents of the market-rate component of the projects.

Even if SB 35 kicks in, after a city fails to produce the affordable housing specified in its Housing Element, it does not remotely solve the problem. The appeal of SB 35 was that a project could include one-third commercial office space and the revenue from the office space would subsidize the BMR housing. But because the market for Class A commercial office space currently is so poor, property owners can no longer use Class A office space to subsidize large amounts of affordable housing. Our one current SB 35 project, at the former Vallco Shopping Mall, was submitted by the property owner as a threat. They wanted General Plan Amendments so they could gain approval for a more lucrative project than the SB 35 project. If they do build the SB 35 project, it would worsen our City's jobs/housing ratio since the number of jobs generated by the office space would far exceed the number of housing units that are part of the project; this is one

of several fundamental flaws of SB 35, it dramatically worsens the jobs to housing balance because it allows far too much commercial office space.

To build the mandated 57% of our RHNA as affordable housing would require subsidies of approximately \$1.8 billion, using a conservative cost estimate of \$500,000 per unit (a 19-unit, 100% affordable project in Cupertino, completed in 2018 cost approximately \$760,000 per unit). Building very large quantities of subsidized affordable housing in areas with both extremely high construction and land costs is not practical. Even our current, modest 15%-20% requirement is opposed by property owners in one of the most lucrative areas to build in the area.

Cupertino believes that regional tensions in the RHNA process can be relieved by ABAG updating the recommended RHNA methodology. ABAG and MTC staff need to analyze the comments received and prepare adjusted RHNA methodology options for consideration in November and December 2020.

ABAG and MTC staff need to analyze and describe any shift in baseline-related outcomes for the recommended RHNA methodology resulting from incorporation of the Plan Bay Area 2050 Final Blueprint modeling results.

The 2050 Baseline Allocation is inappropriate for an eight-year RHNA Cycle. It is unreasonable to apply long range, aspirational, housing goals to a single eight-year RHNA Cycle. There will be three additional eight-year RHNA Cycles prior to 2050. The 2023-2031 RHNA Cycle needs to set realistic housing goals.

The affordable housing goals, both in the 2023-2031 RHNA Cycle and in Plan Bay Area 2050, rely on funding sources that are not available and that have no likelihood of becoming available. When the State of California eliminated Redevelopment Agencies, the primary source of funding for affordable housing went away. Attempts in 2019 and 2020 to pass legislation that would restore some funding for affordable housing have either been vetoed by the Governor, or never even made it the Governor's desk.

Furthermore, the required funding for the necessary infrastructure required by large amounts of new housing has never been considered. Water, sewage, roads, mass transit, parks, libraries, public schools, and public safety services all require infrastructure funding that is ignored by the RNHD and the RHNA methodology. Mitigation fees that are charged by cities are far too low to fund the necessary new infrastructure, yet cities are unable to raise these fees to adequate levels even when a Nexus study clearly justifies higher fees.

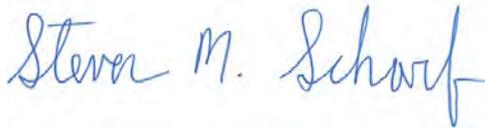
The proper method to determine RHNA allocations is to use the existing 2019 Households baseline as a starting point, consider a City's plans for increased commercial office space and new jobs (using a 250 square feet per job formula), as well as considering the availability of land for new housing development. Especially important is to increase the allocations to a) Cities which have poor jobs to housing ratios, b) cities with sufficient land for the type of housing desired by Bay Area residents, and c) cities with current or planned high-quality mass transit.

Cupertino supports the application of a reasonable cap to limit how much housing a community is expected to build over the RHNA cycle. Housing units that exceed the cap should then be redistributed to other jurisdictions. This addresses development feasibility, especially under current recessionary and Covid-19 conditions that will affect the remainder of the current RHNA Cycle as well as the 2023-31 RHNA cycle.

Cupertino appreciates that ABAG is required to respond to the RHND as assigned. However, the City would like ABAG to send a request for a response to the assertions in the Embarcadero Institute report and the Freddie Mac report alongside any officially submitted proposed RHNA methodology.

Finally, the unworkable RHNA numbers are a direct result of errors by HCD in determining the RHND for each region. Two different organizations have pointed out the errors by HCD. The Embarcadero Institute is a non-profit organization in the Bay Area that publishes analysis on local policy matters. A recent Embarcadero Institute report asserts methodological difficulties with the Regional Housing Needs Determination (RHND) released by the Department of Housing and Community Development (HCD) on June 9, 2020. Freddie Mac has also pointed out that the need for additional housing units is far lower than what HCD has claimed.

Thank you for your continued consideration.



Steven Scharf, Mayor

cc: City of Cupertino Councilmembers
Deborah L. Feng, City Manager, City of Cupertino
ABAG Regional Housing Needs Allocation Staff, RHNA@bayareametro.gov
Fred Castro, Clerk of the Board, Association of Bay Area Governments,
fcastro@bayareametro.gov
rhna@TheCivicEdge.com



*"Small Town Atmosphere,
Outstanding Quality of Life"*

November 27, 2020

Public Information Office
ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION
375 Beale Street Suite 800
San Francisco, CA 94105

Subject: Methodology for Distribution of RHNA

Dear ABAG & MTC colleagues:

Once again, the Town of Danville wishes to express our appreciation for ABAG's work on the 6th Cycle RHNA process. The Town recognizes that it is not an easy task to develop a methodology that appropriately and fairly distributes the 441,176-unit RHND to the 101 cities and nine Bay Area counties.

On October 15, 2020, the ABAG Executive Board voted to support the Housing Methodology Committee's recommended methodology "Option 8A" and to forward it for public review in advance of submittal to the State Department of Housing and Community Development. The methodology utilizes the "Plan Bay Area 2050 *Future Households*" Baseline and applies a series of *Factors* that adjust the Baseline allocation, in a manner which prioritizes a social equity focus ("Access to High Opportunity Areas") at the expense of region efforts to reach a jobs/housing balance and a greenhouse gas emissions (GHG) reduction targets.

Prior to the October public hearing, the Contra Costa Mayors Conference, Alameda County Mayors Conference and cities in the Bay Area submitted letters expressing significant concerns with the proposed methodology. This letter highlights five concerns that have been identified, which is that the proposed methodology is:

1. Inconsistent with Plan Bay Area 2050 Draft Blueprint.
2. Promotes suburban sprawl and furthers a pattern of jobs-housing imbalance.
3. Inconsistent with other State mandates including the requirement to reduce Vehicle Miles Traveled (VMT) and greenhouse gas (GHG) emissions.
4. Directs growth to areas with limited land capacity, restricted open space and natural hazards.
5. Works *against* equity and fair housing goals.

This letter also suggests an alternate methodology which would more equitably distribute RHNA and in a manner that is more consistent other State mandates.

1. Insufficient evidence to demonstrate consistency with Plan Bay Area 2050 Draft Blueprint, the Bay Area’s long-range transportation, housing, economic and environmental plan.

SB 375 requires that the RHNA is consistent with the Sustainable Communities Strategy. In other words, consistency between the 2023-2031 RHNA and the Plan Bay Area 2050 Draft Blueprint (PBA 2050) is statutorily required. Page 13 of ABAG’s RHNA methodology report concludes that the two documents are consistent since the 8-year RHNAs do not exceed the 35-year (2015-2050) growth forecasts for sub-regions in the Bay Area.

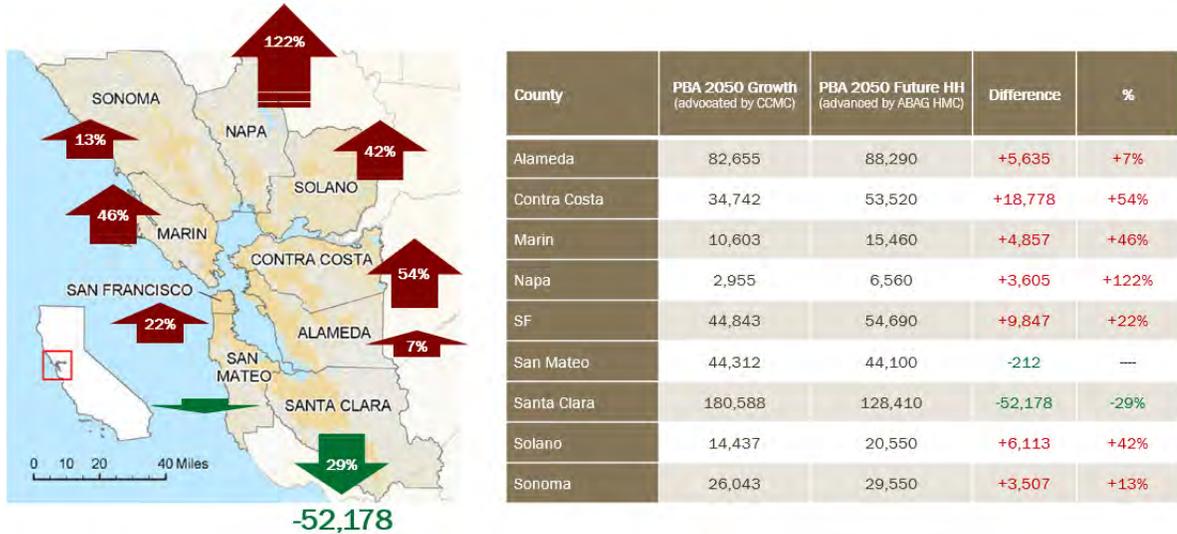
This conclusion is flawed on several levels. First, the 35-year forecast period is more than four times the length of the 8-year RHNA time horizon. It is unreasonable to conclude that a RHNA can be deemed consistent with the SCS if it presumes a sub-regional growth rate that is four times higher than the forecast for that area. It is also unreasonable to presume that a community can condense and assimilate housing growth that is projected over a 35-year period into a much shorter period of time.

Second, and more importantly, there is no way to evaluate consistency without jurisdiction-level forecasts. Consistency at a sub-regional level is meaningless, as sub-regions do not have the authority to write, adopt, or implement Housing Elements. This responsibility rests with cities and counties alone. Sub-regions contain jurisdictions with vastly different populations, employment bases, geographies, hazard levels, and physical constraints. Lumping dissimilar cities together as sub-regions in PBA 2050, and then assigning growth at the city-level through the RHNA process, makes it impossible to determine consistency between the two processes.

We urge ABAG to publish jurisdiction-level forecasts for PBA 2050 so that consistency can be accurately and transparently determined. If the 2040 forecasts are used as a proxy, the RHNA appears grossly inconsistent with the forecasts for many jurisdictions, including our own.

2. **The Plan Bay Area 2050 *Future Households* Baseline promotes suburban sprawl by allocating a disproportionate number of housing units to the region’s urban fringes away from the major job centers, furthering the historic pattern of jobs-housing imbalance.**

Figure A. Impact of switching to the 2050 Future Households Baseline from the 2050 Growth Baseline.



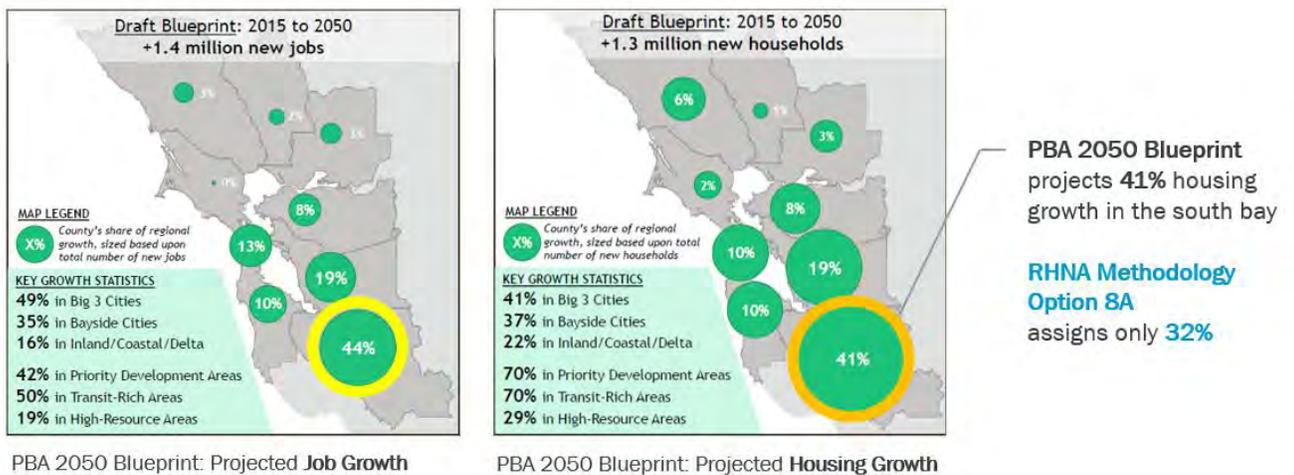
Furthermore, this baseline **reduces** housing assignment in the western and southern subregions of the Bay Area that has historically under-produced housing, at the expense of subregions that have historically been the region’s housing supplier. Under the Draft RHNA, the housing allocation to Santa Clara County fails to match the explosive jobs growth in that County over the past decade. This under allocation of new housing to Santa Clara County results in significantly higher allocations to other counties and fails to adequately address the significant jobs-housing imbalance in Santa Clara County.

Figure B. Job Growth in the Bay Area between 2010 to 2016, as documented by ABAG.



This conflicts with Plan Bay Area 2050 (PBA 2050), which anticipates a 42% increase in housing growth in Santa Clara while the methodology assigns only 32% of the RHND there. This amounts to over 40,000 units allocated elsewhere in the region – most problematically, to outer suburbs, small cities, and rural and unincorporated county areas.

Figure C. Job Growth in the Bay Area between 2010 to 2016, as documented by ABAG



3. **The proposed RHNA methodology is inconsistent with State mandates to reduce Vehicle Miles Traveled (VMT) and greenhouse gas (GHG) emissions, improve air and water quality, preserve agricultural land, and focus development away from areas with high wildfire risks.**

As result of the lack of jobs-housing balance, the Draft RHNA will work against key regional planning goals and State mandates including those to address VMT and GHG emissions by perpetuating sprawl and inefficient growth patterns.

The housing distribution under the Draft RHNA conflicts with the requirements of SB 743, which requires use of the VMT standard when evaluating potential environmental impacts of a proposed development under CEQA. The Legislative Intent of SB 743 is to: encourage infill development; improve public health through active transportation; and reduce GHG emissions. Placing the housing in the urban fringes of the Bay Area, away from job centers and transportation hubs, will increase, not reduce, VMT. As a result, review of proposed housing developments under CEQA will not meet established VMT Thresholds of Significance and will result in potentially significant environmental impacts that cannot be easily mitigated.

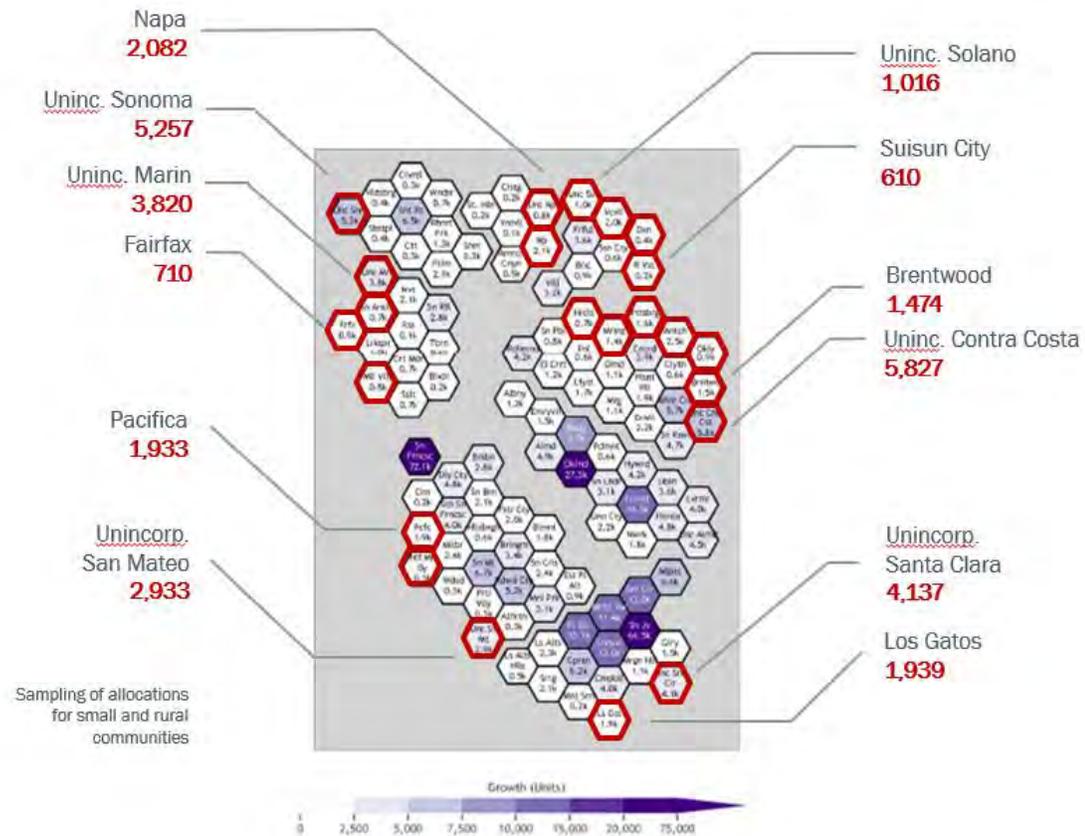
The Draft RHNA also conflicts with the GHG reduction requirements under AB 32, SB 32, and AB 197. These laws require that the State limit GHG emissions so that emission levels in 2030 do not exceed 1990 levels. Based on Plan Bay Area’s housing and job projections, and emphasis on housing-jobs balance and transit-oriented housing, the plan would still fall short of GHG emission reduction goals. The Draft RHNA’s departure from prioritizing housing-jobs balance and transit-oriented housing will lead the region and the State further from achieving these GHG emission requirements.

This impact is amplified for the Town of Danville as the community is not projected to add a significant number of new jobs over the next 35 years and Danville has limited bus service and limited access to mass transit options.

4. **The proposed RHNA methodology directs growth to cities and unincorporated county areas with limited to no develop-able land, restricted open space areas, land outside of voter-approved urban growth boundaries, areas that lack mass transit, and natural hazard constraints.**

| Sampling of Impacted Jurisdictions | PBA 2050 <i>Growth Methodology</i> (Proposed Altern) | PBA 2050 <i>Future Households</i> (HMC Option 8A) | Difference | % Change |
|------------------------------------|--|---|------------|----------|
| Santa Clara County | | | | |
| Los Gatos | 142 | 1,430 | +1,288 | +907% |

| | | | | |
|---------------------|---------|--------|---------|---------|
| Monte Sereno | 3 | 140 | +137 | +4,567% |
| Mountain View | 12,377 | 7,810 | -4,567 | -37% |
| Palo Alto | 11,127 | 6,810 | -4,317 | -39% |
| San Jose | 100,155 | 67,240 | -32,915 | -33% |
| Santa Clara | 14,285 | 9,630 | -4,655 | -33% |
| Sunnyvale | 12,025 | 9,980 | -2,045 | -17% |
| Alameda County | | | | |
| Albany | 355 | 930 | +575 | +162% |
| Piedmont | 60 | 430 | +370 | +617% |
| Unincorporated | 1,638 | 5,950 | +4,312 | +263% |
| Contra Costa County | | | | |
| Danville | 223 | 1,820 | +1,597 | +716% |
| Hercules | 411 | 1,060 | +649 | +158% |
| Martinez | 311 | 1,670 | +1,359 | +437% |
| Unincorporated | 2,588 | 7,310 | +4,722 | +182% |
| Marin County | | | | |
| Fairfax | 215 | 460 | +245 | +114% |
| Mill Valley | 27 | 710 | +683 | +2530% |
| San Anselmo | 202 | 670 | +468 | +232% |
| San Mateo County | | | | |
| Atherton | 30 | 280 | +250 | +833% |
| Hillsborough | 116 | 470 | +354 | +305% |
| Pacifica | 199 | 1,580 | +1,381 | +694% |
| Portola Valley | 3 | 200 | +197 | +6,567% |
| Solano County | | | | |
| Benicia | 258 | 1,270 | +1,012 | +392% |
| Dixon | 209 | 690 | +481 | +230% |
| Rio Vista | 84 | 420 | +336 | +400% |
| Suisun City | 298 | 1,070 | +772 | +259% |
| Vacaville | 1,056 | 3,650 | +2,594 | +246% |
| Vallejo | 2,117 | 5,250 | +3,133 | +148% |
| Sonoma County | | | | |
| Sonoma | 184 | 620 | +436 | +237% |
| Unincorporated | 6,893 | 9,080 | +2,187 | +32% |



5. While the Draft RHNA provides an emphasis on equity and fair housing which is vitally important, we believe the unintended consequences of the growth patterns dictated by Option 8A may actually work against equity goals by:
- Requiring *people who are unable to work from home* to travel long distances from where they live to where they work.
 - *Increasing auto reliance* those residents who are unable to work from home for daily commutes by underemphasizing transit access – at a *significant economic, social and environmental cost* to those residents.
 - *Disincentivizing urban re-investment* on in-fill lots and brownfields by prioritizing housing growth away from cities that want and need new housing to serve their communities and support their local economies.
 - Allocating a disproportionate number of housing units to communities that are largely built out, with little undeveloped or under-developed lands, would result in the need to re-designate lands for housing which already contain either viable housing and/or high assessed-value developments.

In terms of economics, this makes these lands un-likely to redevelop regardless of the change in land use designation, especially when multiple properties would need to be aggregated to create a viable site. Furthermore, assigning units to physically constrained communities in some instances would require the removal of existing affordable units (due to their age and/or other characteristics) in order to accommodate a high housing assignment. In either scenario, these lands would carry a high land cost and any resulting re-development would result in housing units that would be far from affordable without significant subsidies.

Adopting a RHNA that more equitably assigns units to under-developed urban areas would result in timely re-development addressing the States critical housing shortage.

Recommended Alternative Baseline and Factors

As previously requested, and similar to the approach advocated by Contra Costa Mayors Conference and others at the Executive Board’s October public hearing, we would urge the Executive Board to consider an Alternative to Option 8A, that uses the “Plan Bay Area 2050 Growth” Baseline. We would also seek further refinements to the Factors as follows:

| | HMC Option 8A | Proposed Alternative Methodology |
|---|---|--|
| Baseline | Plan Bay Area 2050 Households | Plan Bay Area 2050 Growth |
| Factors and Weighting | | |
| Very-Low and Low Income Units | | <ul style="list-style-type: none"> • 60 % Access to High Opportunity Areas • 20 % Jobs Proximity - Auto • 20 % Jobs Proximity - Transit |
| Moderate and Above Moderate Income Units | <ul style="list-style-type: none"> • 40 % Access to High Opportunity Areas • 60 % Jobs Proximity Auto | <ul style="list-style-type: none"> • 20 % Access to High Opportunity Areas • 40 % Jobs Proximity - Auto • 40 % Jobs Proximity - Transit |

Together, these changes would have the following beneficial outcomes for the region, each of which would improve its consistency with Plan Bay Area:

- **Increased share of RHNA to the “Big Three” cities and inner Bay Area**, and a corresponding decrease in that assigned to the outer Bay Area, unincorporated, and small and rural communities by approximately 30,000 units. This will ensure

that that the largest share of housing growth is allocated to the region's biggest job centers, in areas well-served by transit and infrastructure.

- **Reduced allocation to unincorporated county areas by over 10,500 units** – avoiding further residential growth pressures in areas most subject to natural hazards, lack of infrastructure capacity, and threatened loss of agricultural and open space land.
- **Alignment of the share of housing growth in Santa Clara County to match Plan Bay Area 2050 and the County's significant jobs growth of the past decade.** Santa Clara, home of some of the region's largest tech firms, has the largest numeric deficit in housing production to jobs production over the past decade, which could be corrected in part by this adjustment.

Please do not hesitate to contact me if you have questions or would like to discuss this letter further.

Sincerely,
TOWN OF DANVILLE

A handwritten signature in cursive script that reads "Karen G. Stepper".

Karen G. Stepper, Mayor

C: Danville Town Council



November 17, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments, Executive Board
375 Beale Street, Suite 800
San Francisco, CA 94105-2066
Email: RHNA@bayareametro.gov

RE: Proposed RHNA Methodology

Dear Board President Arreguín,

The City of Dublin (City) wishes to express concerns regarding the proposed Regional Housing Needs Allocation (RHNA) methodology that the Association of Bay Area Governments (ABAG) Executive Board is scheduled to take final action on at its January 21, 2021 meeting.

The City appreciates the urgency of the statewide housing crisis and the responsibility of local jurisdictions to facilitate housing construction to help alleviate this crisis. Dublin was the fastest growing city in California between 2010 and 2019 due to significant steps taken to facilitate the construction of both market-rate and affordable housing. During the current RHNA cycle, the City issued building permits for the construction of 4,138 dwelling units compared to our allocation of 2,285 units. Specifically, as of September 30, 2020, the City had issued permits for 3,993 above-moderate income, 80 moderate income, 39 low-income, and 26 very low-income units.

In the near future, the City anticipates construction of additional new affordable housing utilizing the City's Affordable Housing Fund and Alameda County Measure A-1 Bond funding. In July 2020, the City issued a Notice of Funding Availability for approximately \$10 million in funding to support predevelopment, acquisition, and construction of affordable rental housing and is currently reviewing proposals.

The 6th Cycle RHNA process presents significant challenges and the City appreciates the efforts and dedication of the Housing Methodology Committee. However, the City urges the Executive Board to reject their proposed methodology and consider alternative factors and weights, in order to more appropriately balance the RHNA statutory requirements including equity and fair housing goals, as well as those related to efficient growth patterns and greenhouse gas emissions.

The City is concerned with the disproportionate emphasis on factors that allocate RHNA to high opportunity areas, without consideration of the negative consequences of the resultant land use patterns. The following points reflect our specific concerns with the proposed methodology:

- Does not adequately address factors related to jobs proximity and locates housing a considerable distance from the Bay Area's major employment centers of the South Bay, Oakland, and San Francisco.

City Council
925.833.6650
City Manager
925.833.6650
Community Development
925.833.6610
Economic Development
925.833.6650
Finance/IT
925.833.6640
Fire Prevention
925.833.6606
Human Resources
925.833.6605
Parks & Community Services
925.833.6645
Police
925.833.6670
Public Works
925.833.6630

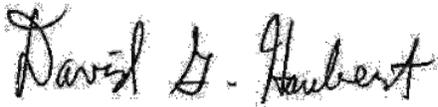
100 Civic Plaza
Dublin, CA 94568
P 925.833.6650
F 925.833.6651
www.dublin.ca.gov

- Allocates growth in a manner that promotes auto dependency, prolongs longer commutes, and exacerbates associated GHG emissions. In addition to the environmental factors, it impacts time away from families and economic strain on household finances, particularly for lower-income households.
- Pushes significant housing allocations to the outer ring of Bay Area suburbs, exasperating the jobs/housing imbalance.
- Fails to consider progress made during current RHNA cycle, as outlined above.

Given these concerns, the City urges the Executive Board to reject the proposed methodology recommended by the Housing Methodology Committee and refine the methodology to consider factors and weights that focus housing in areas most proximate to highest concentration of jobs as well as recent housing production efforts.

Should you have any questions, please do not hesitate to contact Michael Cass, Principal Planner, at (925) 833-6610 or Michael.Cass@dublin.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "David G. Haubert". The signature is written in a cursive, slightly slanted style.

David Haubert, Mayor
City of Dublin

cc. Linda Smith, City Manager
Jeff Baker, Community Development Director
Kristie Wheeler, Assistant Community Development Director
Michael P. Cass, Principal Planner



TOWN OF FAIRFAX

142 Bolinas Road, Fairfax, California 94930

(415) 453-1584 / Fax (415) 453-1618

October 13, 2020

Mayor Jesse Arreguin, President
Association of Bay Area Governments, Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Dear Board President Arreguin:

On behalf of the Town Council of Fairfax, please accept our comments related to the proposed Regional Housing Needs Allocation (RHNA) methodology recommended by the RHNA Housing Methodology Committee (HMC). Please consider these comments in advance of the October 15, 2020 ABAG Executive Board meeting where the recommended methodology will be discussed.

The Town of Fairfax is aware and appreciative of the efforts and dedication of the HMC stakeholder group over the last year in attempting to recommend an appropriate distribution of 441,000 new housing units assigned to the region by the State Department of Housing and Community Development (HCD). Our Town understands both the challenges and urgent need to address State and regional policy goals pertaining to housing affordability, climate change and equity in the upcoming 6th Regional Housing Needs Assessment (RHNA) cycle.

Unfortunately, however, there are a number of problems with the methodology recommended by the HMC for allocating new housing units to Fairfax. Our Town lacks adequate transportation infrastructure and public transportation services. Marin is projected to naturally decrease in population in the next decade as its residents continue to age. The County as a whole, and Fairfax in particular being located at the far end of Marin's urbanized area, is removed from existing and future job centers.

Fairfax is in an area of high fire risk. Even compared to nearby jurisdictions, the Town's location at the far end of Marin's urbanized area and street network means that evacuation is particularly problematic in the event of a wildland fire, such as those the State continues to experience. Based on our extreme fire danger, the Town respectfully requests that ABAG add to the 2050 Plan Bay Area Blueprint Wildland-Urban Interface Fire Threat areas for the San Francisco Bay Region, which is available in the Metropolitan Transportation Commission Map Gallery. Currently, only CAL FIRE Very High Severity zones are factored into the Plan, which do not adequately represent wildfire risk in the Bay Area.

Furthermore, Marin Municipal Water District's Water Resources Plan for the Marin jurisdictions it serves (including Fairfax) states that there is an insufficient water supply in the event of an extended drought. Finally, there is virtually no vacant land in Fairfax available for large-scale development.

Despite these inherent limiting factors, the recommended methodology and preliminary housing numbers shown for Fairfax would be over 800 percent higher than the current RHNA allocation, and equivalent to the prior five decades' worth of housing development.

The recommended methodology and resulting RHNA numbers do not set realistic quotas for housing growth locally and regionally, and will not only fail to meet the Bay Area's total regional housing need, but will threaten our region's ability to grow sustainably into the future.

Other similarly situated cities in Marin are expected via the methodology to grow at similarly high rates, despite Plan Bay Area 2050 projections to the contrary. The result is to push a greater proportion of new development into areas that will further increase auto dependency and longer commute times, exacerbate GHG impacts, and run counter to the goals and objectives that were well-formulated and strongly articulated in the recently released Plan Bay Area Blueprint.

To avoid these outcomes, we recommend consideration of one or both of the following changes to the recommended methodology:

- 1) Utilize Plan Bay Area 2050 *Household Growth* as the baseline for the RHNA allocation rather than Plan Bay Area HH in 2050.

Utilizing the Plan Bay Area 2050 *Household Growth* as the baseline will align RHNA more closely with Plan Bay Area Blueprint objectives and focus a greater proportion of growth to areas where transportation investments, job growth, and beneficial market conditions are expected to be focused. Other Marin jurisdictions will be advocating for this methodology.

- 2) Reduce the 40% allocation factor to High Resource Areas for moderate and market rate units utilized in Recommended Option 8A

While not clear from the presentation materials provided to the HMC, it appears that the 70% allocation factor for very low and low-income units, and the 40% allocation factor for moderate and market rate units, are driving significant additional units to High Resource Areas, such as Fairfax, beyond that anticipated in Plan Bay Area 2050. It is not clear how the 40% allocation factor for moderate and market rate units helps further the equity purpose the HMC intends, as it would appear to drive relatively more higher income households to High Resource Areas. Reducing or eliminating this allocation factor would presumably reduce the overall housing allocation to jurisdictions like Fairfax without affecting the strategy the HMC proposes to introduce greater equity into the RHNA process.

While we again recognize the challenge that the HMC faced in developing an appropriate allocation methodology, and appreciate many of the thoughtful contributions they have introduced into the process, we believe the outcomes of the recommended methodology, unless modified, would be inconsistent with Plan Bay Area 2050 objectives to grow the Bay Area sustainably and allocate scarce resources efficiently.

Fairfax is one of the few Bay Area jurisdictions that has met its total number of new residential units in the current 5th RHNA housing cycle, including exceeding its low income housing allocation. We understand and have delivered our fair share of housing. Fairfax believes it can continue to thoughtfully craft housing policies and support housing that both helps to address the region's housing supply, affordability, and equity issues, and meets the needs of our Town. However, without modification the recommended HMC methodology presents wholly unrealistic housing quotas in the 2023-2031 RHNA cycle which sets our Town up for failure and punitive state-imposed land use controls and penalties.

With appreciation for your Bay Area regional work, we thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Grant J. for TOWN MANAGER". The signature is written in a cursive style with a large, stylized "G" and "J".

Fairfax Mayor Renee Goddard



OFFICE OF THE CITY COUNCIL

City of Foster City

November 20, 2020

Ms. Karen Mitchoff, Chair
ABAG Regional Planning Committee
c/o ABAG-MTC Public Information Office
375 Beale St, Suite 800
San Francisco, CA 94105

VIA EMAIL: RHNA@bayareametro.gov

RE: Proposed RHNA Methodology and Subregional Shares

Dear Chair Mitchoff:

The City of Foster City would like to thank you for the opportunity to comment on the proposed Regional Housing Needs Assessment (RHNA) methodology **Option 8A: High Opportunity Areas Emphasis & Job Proximity** for the RHNA 6 Cycle (2023-2031) and the draft subregion shares passed by the ABAG Executive Board at their October 15, 2020 meeting.

HCD has determined that the Bay Area must plan for **441,176 new housing units from 2023 to 2031**. Option 8A uses the 2050 Households from the forthcoming Plan Bay Area 2050 Draft Blueprint as the baseline starting point for allocating new housing units amongst the jurisdictions across the region. Option 8A also allocates the region's required new housing units within the very low, low, moderate, and above-moderate income categories using a bottom-up approach. The bottom-up approach adds up the individual income category allocations to create a jurisdiction's total allocation. A jurisdiction's allocation within each income category is based upon how the jurisdiction scores relative to the rest of the region on the following selected factors: Access to High Opportunity Areas (AHOA); Jobs Proximity – Transit; and Jobs Proximity – Auto. The weights assigned to these three factors include: 70% weight given to AHOA and 30% to Jobs Proximity – Auto (15%) and Job Proximity – Transit (15%) for very low and low units and 40% weight given to AHOA and 60% Job Proximity – Auto for moderate and above moderate.¹

If proposed RHNA Methodology 8a is adopted, the City of Foster City will receive an allocation of **2,028 units** for RHNA 6 – this translates to an increase in **471%** from RHNA 5 which was 430 units. To put this in context – the Bay Area

¹ https://abag.ca.gov/sites/default/files/rhna_methodology_report_2023-2031_finalposting.pdf

Region's increase in RHNA 6 is **235%** (441,176 units) and San Mateo County's Increase is **338%** (48,490 units) when compared to RHNA 5.

Earlier this year, ABAG requested the City's input with the RHNA Local Planning Factor Survey. This Survey is required by law for ABAG to allow jurisdictions to identify local planning factors prior to the development of a proposed RHNA methodology, per Government Code Section 65584.04(b). Information collected from the survey is required to be included as part of the proposed RHNA methodology. The City of Foster City submitted its response to the Local Planning Factors Survey. The response indicates the local planning factors that demonstrate limitations in the City's ability to accommodate future housing growth.

The current extraordinarily high draft RHNA 6 allocation based on Option 8A is infeasible for the City of Foster City for many reasons as outlined below:

I. Lack of Vacant Land:

- a. Non-Vacant Residential Land: The City of Foster City is a 4 square-mile city that is largely built out. Currently, there is no vacant residential land that can accommodate additional opportunities for residential development. This is partly because since 2000, approximately 51 acres of land designated for commercial and/or semi-public use was converted to residential or mixed-use residential. All of the existing residentially zoned land consists of currently developed properties. Therefore, future residential development of these existing residential properties would have to be accommodated by infill, reuse, and redevelopment.
- b. Non-Vacant Commercial/Industrial Land: Much of the City's existing commercial and industrial land is built out. One of the factors included within the methodology to determine RHNA allocations is based on projected job growth which depends on preserving and/or expanding existing inventory of commercial or industrial land. The significant size of RHNA allocations will force the City to evaluate and re-designate non-residential land for residential development. This effectively limits the City's ability to create jobs, thus reducing the job growth factor projected in the modeling of the RHNA methodology.

2. Compliance with State law:

Upon review of the Government Code requirements for Housing Elements and the HCD Sites Inventory Guidebook, we find the following factors severely limit the sites that can be considered for future growth:

- a. Realistic Development Capacity: Realistic development capacity calculation accounts for minimum density requirements, land use controls, site improvements, typical densities of existing or approved projects at similar income levels, and access to current or planned, water, sewer, and dry utilities (Government Code Sections 65583.2(c)(1) and (2)).² The City of Foster City must demonstrate realistic development capacity for a large percentage of existing viable land with existing stable land uses in the City. This is infeasible as the City would essentially have to consider a large area of existing job-generating uses to transition to residential uses and must prove these sites are viable to transition during the planning period.
- b. HCD's Substantial Evidence Standard: The HCD Sites Inventory Guidebook requires the City to analyze property as either vacant or non-vacant. As noted above, there isn't any vacant land in the City; therefore, the City will need to consider non-vacant land to meet its RHNA. The HCD Guidebook states that when a City plans to accommodate more than 50 percent of the lower-income RHNA on non-vacant land, substantial evidence must be provided proving that the existing uses of the land will be discontinued during the planning period. In the Draft RHNA allocation to the City, ABAG does not appear to have made an effort to take this factor into consideration to determine if there is sufficient non-vacant land in the City

² <https://codes.findlaw.com/ca/government-code/gov-sect-65583-2.html>

that can satisfy the substantial evidence standard in order to meet its RHNA. As part of its Housing Element Update, the City will conduct a sites inventory assessment and will list sites that are practicable, but in order to meet its RHNA, the City will need at least 58 – 68 acres of land, assuming a density of 30 or 35 units per acre to meet the projected 2,028 units. That means property owners of at least 58 to 68 acres of commercial/industrial land in the City must conclude that a conversion of some, or all, of their land to a residential use is more advantageous than their existing non-residential use. Before assigning the City its Draft RHNA, ABAG should have included a reasonable level of analysis, or at least made direct inquiries regarding the availability of land upon which the City (and other cities in a similar situation) would be able to plan for its future RHNA.

- c. **Penalties for Non-Compliance:** If the City cannot facilitate property owners to make their land available for housing through various incentives, as described by State law, the City will have very limited alternatives to meet its projected RHNA. Therefore, inherent consequences of non-compliance will be forced upon the City if it fails to comply with a RHNA, when limited or lack of availability of land do not allow the City to comply. State law and the RHNA allocation methodology should therefore not punish the inability of the City to comply with a mandate due to the lack of land availability.

3. RHNA Methodology Option 8A Weighted Factors:

- a. **Limited Weight Given to Access to Transit:** Option 8A allocates the majority of the units based on the Access to High Opportunity Areas and factors related to Job Proximity (Auto & Transit). However, it places little weight on access to ‘High Quality Public Transit.’ Plan Bay Area 2050, includes a diverse range of strategies to reduce greenhouse gas emissions, including: Focusing more housing growth in areas near high quality public transit and in high-resource communities near job centers. Contrary to the RHNA and Plan Bay Area 2050 objectives, Option 8A will not further greenhouse gas reduction goals or protect residents from environmental impacts. Option 8A allocates too many housing units to suburban areas that lack adequate high-quality public transit. Targeting growth in areas such as Foster City that have poor-quality public transit, in which bus routes have average service intervals during peak traffic hours that are so long (30-60 minutes) that make public transit unattractive/inconvenient is impractical. Instead, the RHNA Allocation Methodology should target growth in “Transit Rich Areas”. Transit Rich Areas should be areas near a “major transit stop”, such as a rail transit station or ferry terminal, or a “high-quality transit corridor”, which is a fixed bus route service with average service intervals of no longer than 15 minutes during peak commute hours.³
- b. **Infrastructure Constraints:** Option 8A does not take into consideration availability of adequate infrastructure such as water, sewer, streets, school capacity, and other local constraints that a City like Foster City faces or any other ‘built-out’ city faces to support housing growth. Foster City (through the Estero Municipal Improvement District) purchases all of its water from the San Francisco Public Utility Commission as a contractual member of the Bay Area Water Supply and Conservation Agency. The City’s water supply allocation is not sufficient to support 2000 additional housing units. Furthermore, the City is basically an island with only three access points of ingress and egress. Given the increase in regional highway traffic over the last several years, the congestion has backed onto the City’s roadways and traffic has been impacted considerably. Adding more housing without taking into consideration, the City’s roadway networks, circulation and limited ways to get in and out of the City would only exacerbate the current problem.

³ Pub. Resources Code, § 21064.3 – (“Major transit stop’ means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.”).

OPR Guidelines on using VMT in CEQA: https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

- c. City of Foster City's Track Record: The City of Foster has made significant progress in development of housing, particularly affordable housing, including:
- Creating 499 affordable housing units over the current and previous RHNA Cycles
 - Producing more than double the number of units in the current RHNA Cycle albeit we are yet to meet 100% of our RHNA targets in the VL, L and M categories (produced 898 units to date in current RHNA planning period when RHNA 5 was 430 units)
 - Being one of the very few cities that has a 20% inclusionary policy in the Housing Element (20% of any new housing units are required to be affordable)
 - Adopting the Commercial Linkage Fee (a fee per square foot of new commercial development that is paid into the City's Affordable Housing Fund)
 - Streamlined requirements for Accessory Dwelling Units (ADUs)

Furthermore, the City of Foster City has been actively addressing the housing shortage and has been one of the few cities that is in compliance with State laws. Based on the Annual Progress Report that the City submitted to HCD, the State determined that we are one among the 29 cities that have met our prorated (Very-Low and Low) and Above-Moderate Income RHNA and, therefore, are currently not subject to the streamlined ministerial approval process under [SB 35](#). The remaining 510 jurisdictions are subject to SB 35. To be placed in the same bucket as a jurisdiction that has failed to produce housing and not assigning RHNA targets proportionally to cities that have complied versus the ones that have not complied seems not only unreasonable but also places an undue burden on the compliant cities.

Even if the City were to undertake rezoning or introduce new policies to add new housing units, lack of vacant land, lack of housing sites due to the previous conversion of non-residential land to residential uses, lack of access to high quality public transit (bus lines only) and limited infrastructure such as water, sewer and school capacity (one middle school and no high school), all combine to make high RHNA numbers unachievable. Further, as stated above this will be required by a jurisdiction that has consistently strived to meet its RHNA. Given the City's commitment to housing production and providing affordable housing to address the region's housing challenges, the City requests that the final methodology takes into consideration the City's historic track record in achieving its RHNA targets.

- d. Community Character and Quality of Life: In the late 1950s, T. Jack Foster had a vision to transform the 2,600-acre/4-square mile land consisting of a dairy farm and salt ponds into a successful master planned community. Foster's original vision for the master plan was to accommodate a variety of housing types by dividing it into nine neighborhoods, each with access to schools, parks, and neighborhood shopping centers and clearly delineated the commercial and industrial lands from residential. Much of the community character and quality of life in Foster City is based on its unique qualities as a self-contained master planned community and its enviable 16 miles of navigable waterways & lagoons. Since its incorporation in 1971, the City has embraced growth while maintaining much of its character and quality of life. Expecting a built-out community like Foster City to accommodate the extremely high projected number of units for the next 8 years would result in unintended consequences. The final RHNA methodology should take into consideration quality of life factors, sustainability, and impacts on community character.

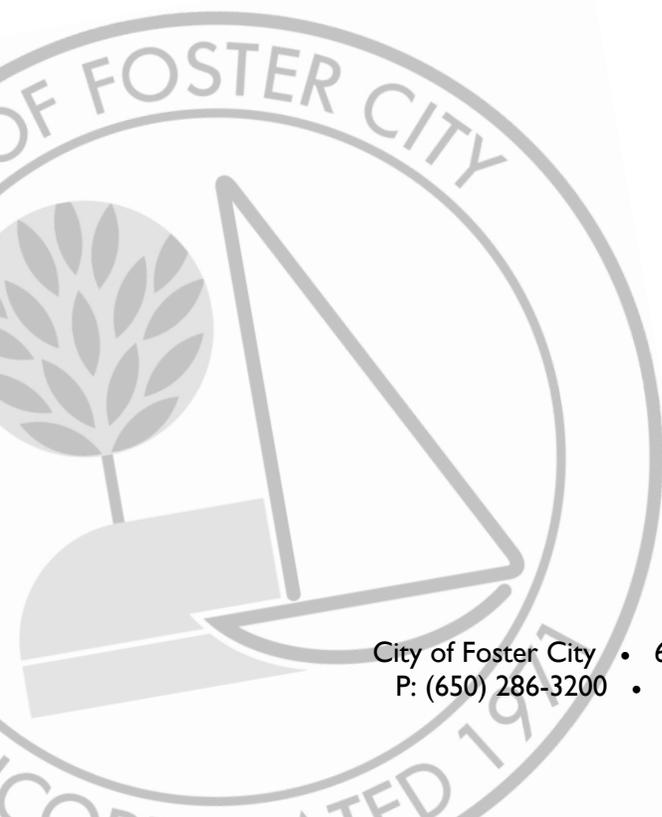
While the City is committed to contributing to the collective local, regional and State needs for housing, the City finds that the Draft RHNA Allocation is unrealistic and excessive and can have unintended consequences to the City and its residents. Therefore, the City, respectfully asks that the Draft RHNA Allocation and RHNA methodology be reconsidered. Thank you for your consideration, and this opportunity to provide comment.

Sincerely,



Catherine Mahanpour, Mayor
City of Foster City

Cc: Sanjay Gehani, Vice Mayor, City of Foster City
Richa Awasthi, Councilmember, City of Foster City
Jon Froomin, Councilmember, City of Foster City
Sam Hindi, Councilmember, City of Foster City
Dante Hall, Interim City Manager, City of Foster City
Marlene Subhashini, Community Development Director, City of Foster City
Jean B. Savaree, City Attorney, City of Foster City
Ms. Therese W. McMillan, ABAG Executive Director
Mr. Alix Bockelman, ABAG Deputy Executive Director, Policy



Proposed RHNA Methodology and Subregional Shares

Jill Ekas <JEkas@hmbcity.com>

Fri 11/27/2020 1:32 PM

To: Regional Housing Need Allocation <rhna@bayareametro.gov>

Cc: Bob Nisbet <BNisbet@hmbcity.com>

External Email

Methodology Committee:

The City of Half Moon Bay has reviewed the Cycle 6 RHNA methodology and preliminary RHNA for our jurisdiction. While we note that the anticipated increase over the Cycle 5 RHNA will be challenging for our City to accommodate; we recognize and appreciate that the methodology results in appropriate distribution of increased housing where it is most needed and best served in jobs-rich areas with transportation infrastructure.

As this process moves to the next phase, we wish to reinforce the soundness of the methodology in context with the San Mateo County coastside and our city. The City of Half Moon Bay is wholly within the Coastal Zone, lacks infrastructure including transit, is committed to maintaining agricultural land uses, contains numerous natural resources including environmentally sensitive habitat areas that support special status species, and is vulnerable to numerous land use hazards including wildland fires and flooding. As such, in our comprehensive Local Coastal Land Use Plan update (adopted by City Council October 2020, pending California Coastal Commission review) we focus new housing to be located and affordable to our local industries that support Coastal Act priority land uses: agriculture and service sectors. Our planning, in parallel with the approach of the RHNA methodology, stresses the importance of managing growth within the fragile coastal areas of San Mateo County and that growth broadly, including RHNA, cannot be on par with more urban areas that are best able to accommodate new households.

Thank you for extending the comment period and for considering our input.

Sincerely,



Jill Ekas, AICP

Community Development Director

501 Main Street, Half Moon Bay, CA 94019

(650) 726-8264

www.hmbcity.com

While our doors are shut, staff are working from home and are available to serve the public virtually. Community Development staff can be reached by phone or email. Click [here](#) to view staff directory.

*** Beginning July 2020, City Hall will be closed Fridays until further notice.***

Hours of Operation:

- Community Development Department: Monday - Thursday, 8:30 AM – 5:00 PM.
- Building Inspections: Monday–Thursday, 8:00 AM–3:00 PM.

(Please call 650-726-8794 at least one day in advance to schedule your inspection. Friday inspections may be requested with 3 days advance notice for larger projects and final inspections.)

You can view the San Mateo County Health Officer's updated COVID-19 Shelter Order and FAQs [here](#).



TOWN OF HILLSBOROUGH
California

November 10, 2020

Ms. Karen Mitchoff, Chair
ABAG Regional Planning Committee
c/o ABAG-MTC Public Information Office
375 Beale St, Suite 800
San Francisco, CA 94105

VIA EMAIL

RE: Proposed RHNA Methodology and Subregional Shares

Dear Chair Mitchoff:

I write on behalf of the Town of Hillsborough to provide comment on the proposed methodology for the RHNA 6 cycle and the draft subregion shares passed by the Executive Board at their meeting on October 15, 2020. The Town's comments are outlined in three sections, below.

570% Increase in RHNA 6 Allocation Over Cycle 5

If proposed methodology scenario 8a is adopted, the Town will receive an allocation of 640 units. This is in stark contrast to an allocation of 91 units in RHNA 5, equating to a prodigious 570% increase and the 3rd largest increase in San Mateo County. Satisfying this requirement will be impossible to achieve without *fundamental* changes to the Town's land use framework. The Town's General Plan, Zoning Ordinance and Design Guidelines—the key elements of our Town's constitution—will need to be rewritten in order to accommodate this inordinate level of growth. Further, this will be required by a jurisdiction that has consistently met their RHNA requirements. During cycles 1-4 the Town repeatedly met our targets, and we confidently anticipate the same for Cycle 5, not a statement that can be made by all. The Town requests that the final methodology should consider appropriately historical success in achieving RHNA targets.

Wildland Urban Interface

On February 18, 2020 Town staff reached out to ABAG staff with the Town's Wildland Urban Interface (WUI) map, requesting that they share with the Methodology Committee that approximately 60%-70% of Town is designated as within a high-fire severity zone (Attachment 1). Within that zone the Town is a hilly labyrinth of curvilinear streets, dead ends and cul-de-sacs that are especially difficult to navigate; particularly so with fire apparatus. With mitigations and structural hardening, increased density in these areas is certainly possible; however, the Town questions if these areas are truly where we as a region should be focusing on substantial growth, especially when considering our region's most vulnerable. In the October 15, 2020 presentation made to the ABAG Executive Committee, slide three stated that "Housing in high hazard areas is a concern, but RHNA may not be the best tool to address it."

Building and Planning Department



TOWN OF HILLSBOROUGH
California

Slide nine further went on to state that, while considered, the Methodology Committee determined that natural hazards are addressed in the 2050 Blueprint documents, and as such should not be included as a methodology factor.

We would like to gently remind the Committee and Board that *this year alone* the State of California has experienced five of the six largest wildfires in our State's history, with the fires burning 4.1 million acres—more than doubling the State's previous record. In all too recent years we've also experienced an unmatched loss of life and property in communities such as Santa Rosa, Paradise and others. *These disasters are proof positive that the fires are not isolated to the wilderness. They're in our backyards.* The CZU complex fires this year in the Santa Cruz Mountains acutely demonstrated this for communities like ours in San Mateo County, who now must pause to ask the question: which of us is next?

Not addressing natural hazards in the methodology process seems rather cavalier at best; further mandating a substantial increase in the number of people living in hazard zone areas is simply reckless. The Town requests that the final methodology should consider appropriately documented natural hazards.

Community Character and Sustainability

While likely not the most heavily weighted by the Methodology Committee, the Regional Planning Committee and ABAG Board, we would be remiss if we did not restate that the changes that will be required of our community in order to make these numbers work will abrogate the Town's character—a character that has been cultivated over 100+ years. The Town is committed to doing our part, but we need our contribution requirement to be one that is reasonable, achievable, and, most importantly, safe.

Expecting a small community of ~3,500 homes to grow by almost 20% in a mere 8 years is unsustainable. The Town requests that the final methodology should consider appropriately sustainability and impacts on community character.

For the reasons outlined above, the Town respectfully asks that you reconsider the allocation methodology. Thank you for your consideration, and this opportunity to provide comment.

Sincerely,

Shawn Christianson
Mayor
Town of Hillsborough



TOWN OF HILLSBOROUGH
California

Cc: Mr. Jesse Arreguin, President, ABAG Executive Board
Ms. Shawn Christianson, Mayor, Town of Hillsborough
Mr. Al Royce, Vice Mayor, Town of Hillsborough
Ms. Marie Chuang, Councilmember, Town of Hillsborough
Mr. Larry May, Councilmember, Town of Hillsborough
Mr. Jay Benton, Councilmember, Town of Hillsborough
Christopher Diaz, Esq., City Attorney

ATTACHMENT 1

Sarah Fleming

From: Sarah Fleming
Sent: Tuesday, February 18, 2020 2:01 PM
To: gadams@bayareametro.gov; RHNA@bayareametro.gov
Cc: Ann Ritzma; Eli Kaplan
Subject: Town of Hillsborough: Wildland-Urban Interface & RHNA
Attachments: Wildland Dec 2019 WUI.pdf; Wildland Nov 2019.pdf

Hi Ms. Adams,

I hope this message finds you well.

I'm the new Planning & Building Director for the Town of Hillsborough. I've had the pleasure of seeing you present at several recent RHNA-related events in the past month or so, and I'm writing to both introduce myself and to share some Hillsborough-specific hazards info that I'd like to request ABAG and the Methodology Committee to consider when finalizing recommendations for the next cycle RHNA allocations.

Because of our location in in the transition zone between wildland and urban areas, Hillsborough is at a significantly greater risk for wildfire than many other jurisdictions in the Bay Area. In October 2018, the Central County Fire Department (CCFD) contracted with Anchor Point Group to conduct an independent fire severity assessment of CCFD's service areas (Burlingame, Hillsborough and Millbrae), and a resulting jurisdictional zone map was developed identifying levels of within what is known as the "Wildland-Urban Interface" (WUI). The assessment revealed that a significant percentage of properties within Hillsborough's jurisdiction (about 60%) fall into the high and very-high risk zones. The Town would like to provide this data for consideration.

For your reference, I've attached the 2019 staff reports outlining the process by which our new maps were developed and ordinance was adopted, and the CCFD website which has additional WUI information:

<http://www.ccfdonline.org/wui/>.

The Town is committed to doing our part in addressing the acute need for housing, as can be seen by our progress in meeting our current RHNA cycle goals, and we're hopeful that ABAG will take into consideration the very real WUI risks faced by our community while developing the next cycle RHNA methodology.

Thank you for your hard work on the RHNA process, as well as for your time and consideration of this study. I'd be happy to chat with you and/or the Committee about this in more detail, should there be an interest.

All the best,
Sarah

Sarah A. Fleming, AICP
Director, Department of Building & Planning

Town of Hillsborough
1600 Floribunda Avenue
Hillsborough, CA 94010

t: (650) 375.7416
f: (650) 375.7415
e: sfleming@hillsborough.net

www.hillsborough.net

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TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

5

**PUBLIC HEARING
CITY COUNCIL MEETING
DECEMBER 09, 2019**

AGENDA STAFF REPORT

ITEM SUBJECT: ORDINANCE AMENDING SECTION 15.21.020 OF THE HILLSBOROUGH MUNICIPAL CODE REGARDING THE WILDLAND-URBAN INTERFACE ORDINANCE - INTRODUCTION, AND RESOLUTION ADOPTING THE FIRE SEVERITY ASSESSMENT MAP DESIGNATING ADDITIONAL PARCELS WITHIN WILDLAND-URBAN INTERFACE AREAS IN THE TOWN OF HILLSBOROUGH

SUMMARY: In October 2018, Central County Fire Department (CCFD) contracted with Anchor Point Group to conduct an independent fire severity assessment of CCFD's service areas (Burlingame, Hillsborough and Millbrae). A jurisdictional zone map was developed detailing the assessment evaluation results by separating areas into low, medium, high and very high-risk zones with associated parcels identified.

The recent assessment revealed high, medium and low fire severity zones within the Town of Hillsborough. In June 2019, the City Council approved the revision of the Town of Hillsborough Wildland-Urban Interface (WUI) ordinance, which identified very high and high risk zones as WUI areas. The high fire severity area in the most recent assessment includes additional parcels beyond the close to 1,800 parcels already identified in the June 2019 WUI revision. To adequately and uniformly apply the revised WUI ordinance, CCFD recommends including the high fire severity parcels from the recent assessment as WUI areas, and through the City Council's adoption of the resolution, it would make all parcels noted on the map subject to the WUI ordinance. A minor modification to the existing WUI ordinance is also included to make it clear that the City Council can establish areas subject to the WUI ordinance by adoption of a resolution.

FISCAL IMPACT: There is no fiscal impact in declaring the identified parcels as wildland-urban interface areas.

ENVIRONMENTAL ISSUES: Any potential environmental issue related to fuel modification on these parcels will be addressed through the application of the Wildland-Urban Interface ordinance. The City Council's adoption of the ordinance and resolution are not actions that are anticipated to have the potential for causing a significant effect on the environment pursuant to the California Environmental Quality Act (CEQA) Guideline 15061(b)(3), the common sense exemption. The ordinance and resolution are actions specific to designating parcels that would be subject to heightened wildfire requirements that are designed to reduce wildfire spread and impacts. As such, it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment. Further, the City Council's action is also exempt from environmental review pursuant to CEQA Guidelines 15307 and 15308 as actions for protection of natural resources and the environment.

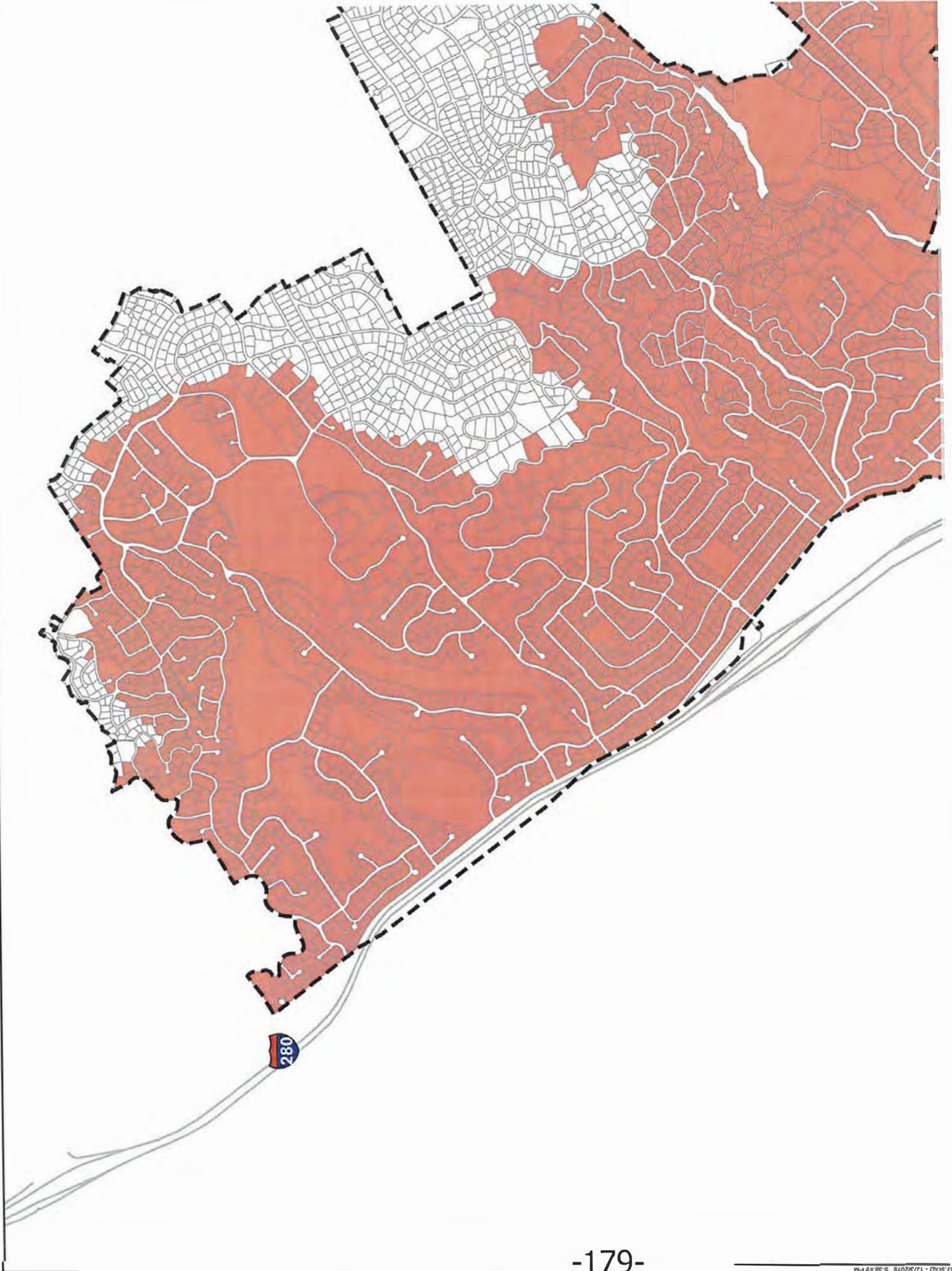
ATTACHMENTS:

1. Assessment Map
2. Ordinance
2. Resolution

PREPARED BY: John Kammeyer, Fire Chief

RECOMMENDATION:

1. Open the public hearing and receive comments;
2. Close the public hearing;
3. Introduce the ordinance entitled "Ordinance of the City Council of the Town of Hillsborough Amending Section 15.21.020 of the Hillsborough Municipal Code Regarding the Wildland-Urban Interface Ordinance", and waive further reading beyond the title; and
4. Adopt the resolution adopting the fire severity assessment map designating additional parcels included within the wildland-urban interface areas in the Town of Hillsborough.



ORDINANCE NO. ____

ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH
AMENDING SECTION 15.21.020 OF THE HILLSBOROUGH MUNICIPAL CODE
REGARDING THE WILDLAND URBAN INTERFACE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH,
as follows:

Section 1. Section 15.21.020 (E) Amended.

Subsection (E) of Section 15.21.020, "Adoption" is hereby amended as follows:

15.21.020 Adoption.

E. Specific parcels of wildland-urban interface areas shall be as shown on the wildland area interface map attached here to as Exhibit A as adopted by resolution of the City Council, and shall be made a part of this Chapter. The map shall be on file in the Office of the City Clerk. The legal description of such areas is as described as follows: (1) All parcels identified as Very High Fire Hazard Severity Zones as recommended by the Director of California Department of Forestry and Fire Protection and as designated on a map titled Fire Hazard Severity Zones in LRA, Hillsborough, and (2) All parcels identified as High and Very High Fire Hazard Severity Zones consistent with California Department of Forestry and Fire Protection standards for determining Fire Hazard Severity Zones by the Town of Hillsborough's Community Assessment conducted in 2018. For the purposes of this Chapter, those parcels shall be designated as "Wildland Urban Interface Areas".

Section 2. The City Council hereby finds that the amendment procedure contained at Hillsborough Municipal Code Section 15.21.110 with regard to amendments to the Wildland Urban Interface, or "WUI" Ordinance, is not applicable to this ordinance as the language being amended is not part of the International Wildland-Urban Interface Code, 2018 Edition, such that an express finding for any local amendments to the International Code is not required. The City Council hereby finds that the language being amended is specific to the Town's code and is not altering any of the language within the International Code.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The city council of the Town of Hillsborough hereby declares that it would have adopted the remainder of this ordinance, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

Section 4. This ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective thirty days after adoption.

Mayor of the Town of Hillsborough

Attest: City Clerk

ORDINANCE NO. ____ of the Town of Hillsborough introduced on _____, 2019,
and adopted on _____, 2020, by the following vote of the City Council:

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSENT: Councilmembers _____

ABSTAIN: Councilmembers _____



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

7

OLD BUSINESS
CITY COUNCIL MEETING
NOVEMBER 12, 2019

AGENDA STAFF REPORT

ITEM SUBJECT: FIRE SEVERITY ASSESSMENT MAP DESIGNATING ADDITIONAL PARCELS WITHIN WILDLAND-URBAN INTERFACE AREAS IN THE TOWN OF HILLSBOROUGH

SUMMARY: In October 2018, Central County Fire Department contracted with Anchor Point Group to conduct an independent fire severity assessment of Central County Fire Department's service areas (Burlingame, Hillsborough and Millbrae). A jurisdictional zone map was developed detailing the assessment evaluation results by separating areas into medium, high and very high-risk zones with associated parcels identified.

The recent assessment revealed high and medium fire severity zones within the Town of Hillsborough. In June 2019, the City Council approved the revision of the Town of Hillsborough Wildland-Urban Interface (WUI) ordinance, which identified very high and high risk zones as WUI areas. The high fire severity area in the most recent assessment includes additional parcels beyond the close to 1,800 parcels identified in the June 2019 WUI revision. The recent fire severity assessment shows that there are approximately 2,200 high fire severity parcels. To adequately and uniformly apply the WUI ordinance, CCFD recommends including the high fire severity parcels from the recent assessment as WUI areas.

FISCAL IMPACT: There is no fiscal impact in declaring the identified parcels as wildland-urban areas.

ENVIRONMENTAL ISSUES: Any potential environmental issues related to fuel modification on these parcels will be addressed through the application of the Wildland-Urban Interface ordinance.

ATTACHMENTS:

1. Assessment Map
2. Anchor Point Group Proposal
3. CCFD Evacuation Memo
4. CCFD WUI Educational Booklet

PREPARED BY: John Kammeyer, Fire Chief

RECOMMENDATION: Set December 9, 2019, as the public hearing date for adoption of a resolution adopting the fire severity assessment map and designating additional parcels included within the wildland-urban interface areas in the Town of Hillsborough; and notice the additional parcel owners of the public hearing.



**ANCHOR POINT
SERVICES AGREEMENT
(FIRE MANAGEMENT
SERVICES)**

DATE: October 17, 2018

PARTIES: **Central County Fire Department**, 1399 Rollins Road, Burlingame, CA 94010 (“District”).
San Mateo Fire Department, 1040 East Hillsdale Blvd. Foster City 94403 (“District”).

ANCHOR POINT GROUP, a Colorado corporation, 2131 Upland Avenue, Boulder, Colorado 80304 (“Consultant”).

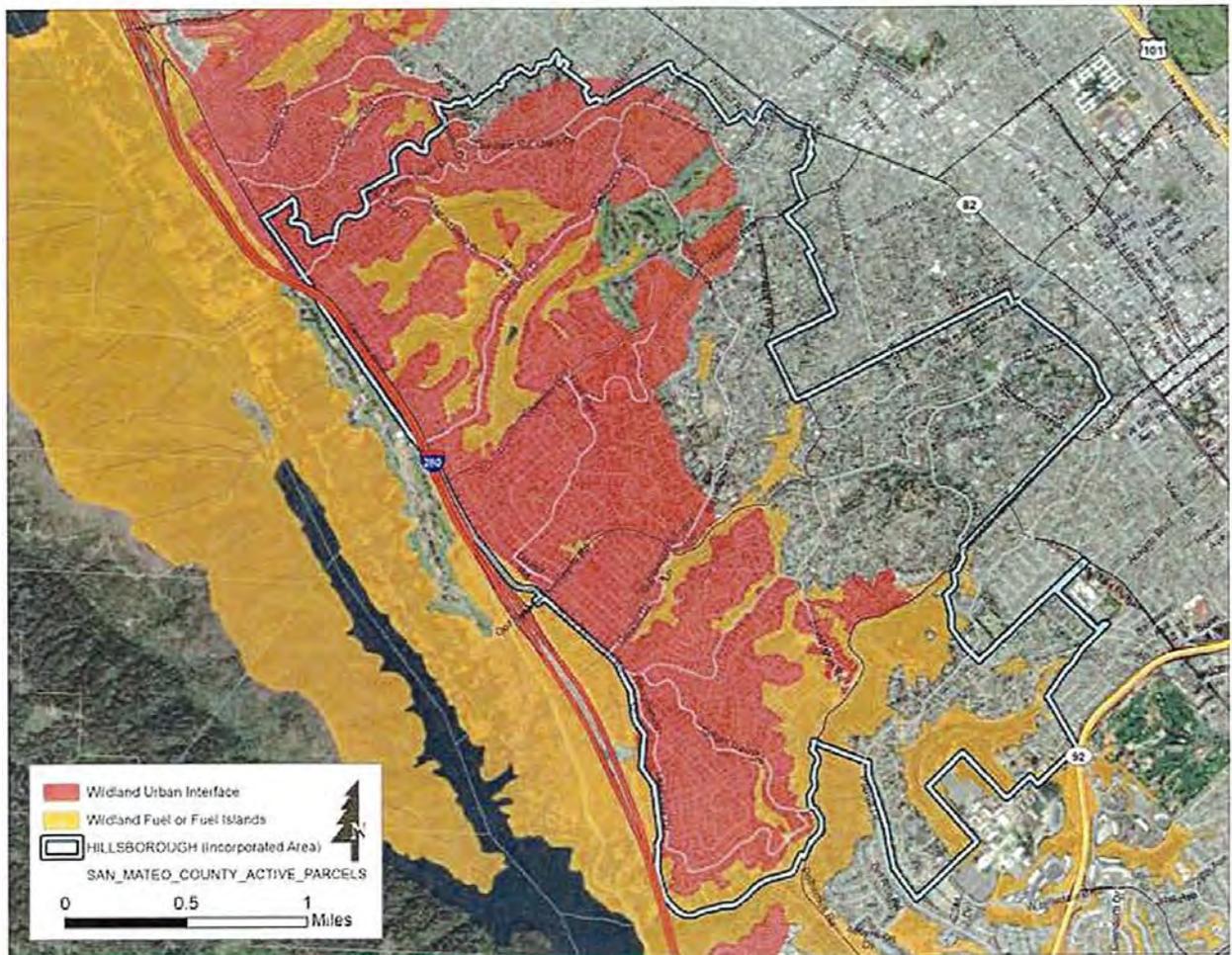
TERMS:

Section 1. Scope of Services. Consultant shall provide fire management services, in accordance with the Scope of Work attached as *Exhibit 1* (the “Services”).

Section 2. Payment. Lump Sum fee is \$76,600. Lump sum contract value will be assigned to two entities, Central County Fire contributing \$46,800 and San Mateo Fire Contributing \$19,000 for assessment and \$10,800 for web interface on separate invoices. An initial 20% invoice will be sent upon execution of the contract, equaling \$9,360 to Central County Fire and \$5,960 to San Mateo Fire. Consultant shall invoice Districts monthly, thereafter, with final invoice to be paid upon the District’s approval of final deliverables as per the Scope of Work. District shall pay such invoices within 30 days receipt of such invoice. In no event shall the cumulative payment to Consultant exceed \$76,600, unless authorized in writing by Districts.

Section 3. Completion. Consultant shall commence the Services upon execution of this Agreement and complete the Services not later than September 1, 2019. Consultant shall devote adequate resources to assure timely completion of the Services. Consultant shall perform the Services under this Agreement using a standard of care, skill and diligence ordinarily used by reputable professionals performing under circumstances similar to those required by this Agreement.

Districts shall have the right to terminate this Agreement at any time with 30 days written notice to Consultant. The District’s only obligation in the event of termination shall be payment of fees and expenses incurred up to and including the effective date of termination. Consultant shall turn over all work product produced up to the date of termination.





Section 4. Subcontractors. Consultant may utilize subcontractors to assist with specialized works as necessary to complete the Services. Consultant will submit any proposed subcontractor and the description of their services to the Districts for approval.

Section 5. Assignment. This Agreement shall not be assigned by Consultant without the written consent of the Districts.

Section 6. Notice. Any notice required or permitted by this Agreement shall be in writing and shall be deemed to have been sufficiently given for all purposes if sent by certified mail or registered mail, postage and fees prepaid, addressed to the party to whom such notice is to be given at the address set forth on the first page of this Agreement, or at such other address as has been previously furnished in writing to the other party or parties. Such notice shall be deemed given when deposited in the United States mail.

Section 7. Prohibition against Employing Illegal Aliens. Consultant shall not knowingly employ or contract with an illegal alien to perform work under this contract. Consultant shall not enter into a contract with a subcontractor that fails to certify to the Consultant that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract.

Consultant has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under the public contract for services through participation in either the E-verify program or the Department program, as defined in C.R.S. §§ 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively. Consultant is prohibited from using the E-verify program or Department program procedures to undertake pre-employment screening of job applicants while this contract is being performed.

If Consultant obtains actual knowledge that a subcontractor performing work under this Agreement for services knowingly employs or contracts with an illegal alien, Consultant shall:

A. Notify the subcontractor and the Districts within three days that the Consultant has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and

B. Terminate the subcontract with the subcontractor if within three days of receiving notice required pursuant to this paragraph the subcontractor does not stop employee or contracting with the illegal alien; except that the Consultant shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Consultant shall comply with any reasonable request by the Department of Labor and Employment made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. §8-17.5-102(5).



If Consultant violates a provision of this Agreement required pursuant to C.R.S. §8-17.5-102, Districts may terminate the Agreement for breach of contract. If the Agreement is so terminated, the Consultant shall be liable for actual and consequential damages to the Districts.

Section 8. Insurance. Consultant agrees to procure and maintain, at his own cost, the following policy or policies of insurance. Consultant shall not be relieved of any liability, claims, demands or other obligations assumed pursuant to this Agreement by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types.

A. Consultant shall procure and maintain a policy with the minimum insurance coverage listed below. Such coverage shall be procured and maintained with forms and insurers acceptable to the Districts. All coverage shall be continuously maintained from the date of commencement of services hereunder. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage.

1. Workers Compensation insurance to cover obligations imposed by the Workers Compensation Act of Colorado and any other applicable laws for any employee engaged in the performance of Work under this contract, and Employer's Liability insurance with minimum limits of \$1,000,000 each accident, \$1,000,000 disease-policy limit, and \$1,000,000 disease-each employee.

2. Comprehensive General Liability insurance with minimum combined single limits of ONE MILLION DOLLARS (\$1,000,000) each occurrence and THREE MILLION DOLLARS (\$3,000,000) aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including for contractual and employee acts), blanket contractual, independent contractors, products, and completed operations. The policy shall contain a severability of interests' provision.

3. Comprehensive Automobile Liability Insurance with minimum combined single limits for bodily injury and property damage of not less than ONE MILLION DOLLARS (\$1,000,000) each occurrence and ONE MILLION DOLLARS (\$1,000,000) aggregate with respect to each of Consultant's owned, hired and/or non- owned vehicles assigned to or used in performance of the services. The policy shall contain a severability of interests provision.

4. Professional Liability insurance with minimum limits of ONE MILLION DOLLARS (\$1,000,000) per claim and ONE MILLION DOLLARS (\$1,000,000) aggregate.

B. The policies required above, except Workers' Compensation insurance, Employers' Liability insurance and Professional Liability insurance shall be endorsed to include the District's officers and employees, as an additional insured. Every policy required above, except Workers' Compensation and Professional Liability insurance, if applicable, shall be primary insurance, and any insurance carried by the Districts, its officers, or its employees, shall be excess and not contributory insurance to that provided



by Consultant.

C. Certificates of insurance shall be completed by Consultant's insurance agent as evidence that policies providing the required coverage, conditions and minimum limits are in full force and effect, and shall be subject to review and approval by the Districts. Each certificate shall identify the Project and shall provide that coverage afforded under the policies shall not be cancelled, terminated or materially changed until at least 30 days prior written notice has been given to the District. If the words "endeavor to" appear in the portion of the certificate addressing cancellation, those words shall be stricken from the certificate by the agent(s) completing the certificate. The Districts reserves the right to request and receive a certified copy of any policy and any endorsement thereto.

D. Failure on the part of Consultant to procure or maintain policies providing the required coverage, conditions, and minimum limits shall constitute a material breach of contract upon which at the District's discretion may procure or renew any such policy or any extended connection therewith, and all monies so paid by the Districts shall be repaid by Consultant to the Districts upon demand, or the Districts may offset the cost of the premiums against any monies due to Consultant from the Districts.

Section 9. Indemnification. Consultant expressly agrees to indemnify and hold harmless Districts or any of its officers or employees from any and all claims, damages, liability, or court awards including attorney's fees that are or may be awarded as a result of any loss, injury or damage sustained or claimed to have been sustained by anyone, including, but not limited to, any person, firm, partnership, or corporation, to the extent caused by the negligent acts, errors or omissions of Consultant or any of their employees or agents in performing work pursuant to this Agreement. In the event that any such suit or action is brought against Districts, Districts will give notice within ten (10) days thereof to Consultant.

Section 10. Delays. Any delays in or failure of performance by any party of his or its obligations under this Agreement shall be excused if such delays or failure are a result of acts of God, fires, floods, strikes, labor disputes, accidents, regulations or orders of civil or military authorities, shortages of labor or materials, or other causes, similar or dissimilar, which are beyond the control of such party.

Section 11. Additional Documents. The parties agree to execute any additional documents or take any additional action that is necessary to carry out this Agreement.

Section 12. Entire Agreement. This Agreement represents the entire agreement between the parties and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the parties. If any other provision of this Agreement is held invalid or unenforceable, no other provision shall be affected by such holding, and all of the remaining provisions of this Agreement shall continue in full force and effect.



Section 13. Time of the Essence. Time is of the essence. If any payment or any other condition, obligation, or duty is not timely made, tendered or performed by either party, then this Agreement, at the option of the party who is not in default, may be terminated by the non-defaulting party, in which case, the non-defaulting party may recover such damages as may be proper.

Section 14. Default and Remedies. In the event either party should default in performance of its obligations under this agreement, and such default shall remain uncured for more than 10 days after notice of default is given to the defaulting party, the non-defaulting party shall be entitled to pursue any and all legal remedies and recover its reasonable attorney's fees and costs in such legal action.

Section 15. Waiver. A waiver by any party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either party.

Section 16. Governing Law. This Agreement shall be governed by the laws of the State of California.

Section 17. Independent Contractor. Consultant and Districts hereby represent that Consultant is an independent contractor for all purposes hereunder. As such, Consultant is not covered by any worker's compensation insurance or any other insurance maintained by Districts except as would apply to members of the general public. Consultant shall not create any indebtedness on behalf of the Districts.

Section 18. No Third-Party Beneficiaries. It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to Districts and Consultant, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person other than Districts or Consultant receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.



ATTEST:

Central County Fire

[Signature]

[Signature]

Approved as to form:

Approved as to content:

[Signature]

ATTEST:

San Mateo Fire

[Signature]

Approved as to form:

Approved as to content:

[Signature]

Bahar Abdollahi, Asst. City Atty.
City of San Mateo

CONSULTANT:
ANCHOR POINT

A Colorado corporation

By:

[Signature]

Chris White

Its:

C.O.O.

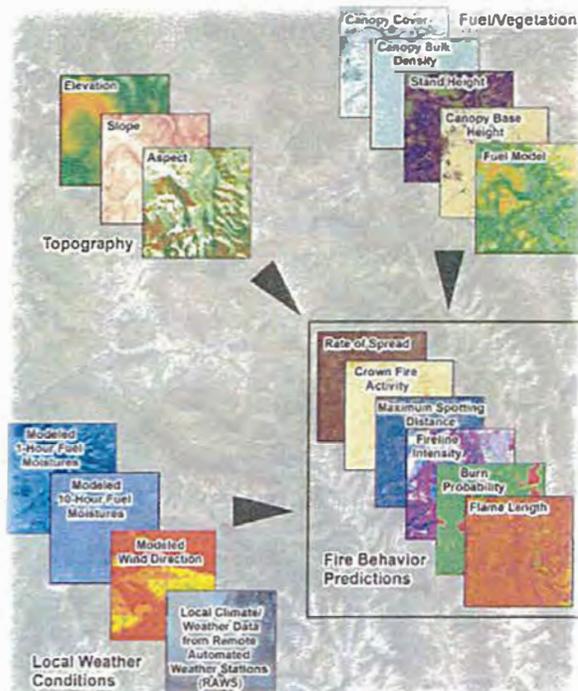
Exhibit 1

Scope of Work

Confidential and Proprietary, © 2018 The Anchor Point Group. LLC., ALL RIGHTS RESERVED

Any and all graphics included in this SOW are for illustrative and representative purposes only and shall not be relied upon as depictions of the final deliverables.

No-HARM wildfire hazard/risk assessment system. Advanced fire behavior modeling methods from FlamMap will take local information about fuel, weather and topography and generate predictions of fire behavior. This raw information has been interpreted and weighted to be applicable to assess the hazard/risk to structures and infrastructure from wildfire.



No-HARM also incorporates historic wildfire occurrence in predicting the potential for wildfire activity in the future. By using historic ignition points and fire perimeters to simulate future fire seasons, the model provides the probability that an area will burn in any given year. In addition to fire behavior and probability of occurrence, the No-HARM evaluates the built environment. Factors such as parcel density, road system complexity, distance to fire stations and other anthropogenic elements are factored into the final ratings. Additionally, the model incorporates Foehn wind adjustments, and evaluates areas that are susceptible to embers, smoke and may pose evacuation complications. Because it provides a consistent, district-wide assessment of wildfire threat, No-HARM is ideal for informing a variety of policy, management, pre-planning and code administration decisions. By

comparing locations of values-at-risk to these fire-prone areas, efforts to protect homes and property can be focused, increasing effectiveness, limiting costs and promoting local action. Similarly, proper assessment of threat to critical infrastructure can reduce potentially catastrophic interruption in vital services.

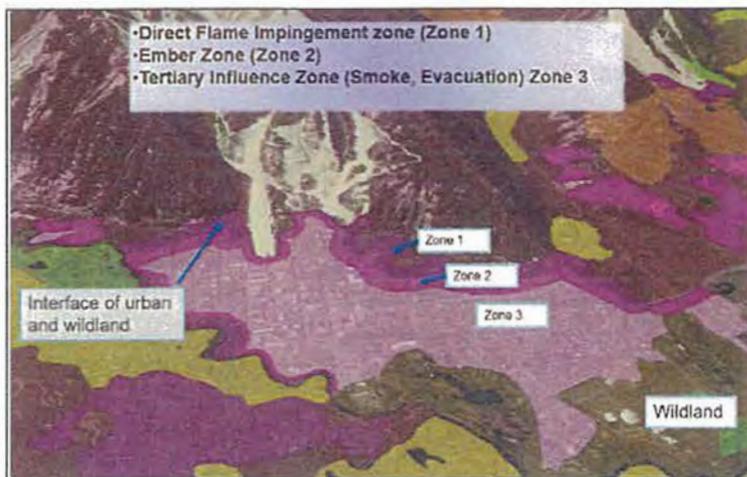
The No-HARM product provides access to FireSheds with a wildfire hazard assigned for each. FireSheds average 150-175 acres in size. No-HARM also includes the interface zones which define vulnerability to direct flame contact, embers, smoke and fire penetration into urban / suburban town areas. These base data can be overlaid with Town or county boundaries, or other polygons made available. No-HARM allows access to the extensive attribute data contained within the delivered shapefiles. The final data set includes information used en-route to producing the overall hazard/risk ratings in the No-HARM FireSheds. This data can be

utilized to generate statistics and make custom maps to support wildfire pre-planning and land use decisions. Users can more easily understand where the hazards exist within their area, and what has contributed to the hazards, leading to a more educated user. The Town can then reference existing materials that further explain the issues. For instance, if a community is found to have a significant area of high risk, the Town can link to information from multiple sources to address the issue. Hillsborough can connect with communities to develop land use practices that will encourage inter-governmental cooperation while providing for life safety first.

2.2 Custom Data Enhancements

Anchor Point staff will work with the Towns of Burlingame, Hillsborough, Milbrae, San Mateo, Belmont, Fire Departments and stakeholders to refine the national scale model with local data and customize the final product.

The custom level of No-HARM™ refines the national and regional scale data inputs to local and neighborhood levels to provide for increased accuracy of risk assessment.



The custom level of No-HARM includes more locally-focused (as compared to the nation-wide data set), custom input data layers.

Custom No-HARM includes:

- Custom fuel modeling.
 - Includes field verification where needed.
- Modification of the existing fuels layer to include completed fuel reduction projects.
- Refinement of the WUI line that separates FireSheds from

Ember Zones.

- For example, it is possible to utilize home footprints (if available from the Town) instead of parcel centroids, to ascertain the location of the wildland urban interface.
- Digitizing golf courses, ball fields, open spaces and fuel islands to allow for enhancements in the model.
- Street distance travel to fire stations
- Detailed ember zone / suburban fire penetration modeling
- Ensure the stakeholder group agrees with the model's accuracy, form and function.

Web Mapping and Data Visualization

The web map interface is about the user interaction, customization of the data, and empowering the Towns through intuitive visualization of the data. Anchor Point has developed a user interface specifically designed to warehouse and utilize the No-HARM data. This interface includes the ability for the No-HARM database to be accessed seamlessly on desktop or tablet. This system is invaluable in the facilitation of wildfire mitigation assessments, projects and overall maintenance of the program. The portal includes:

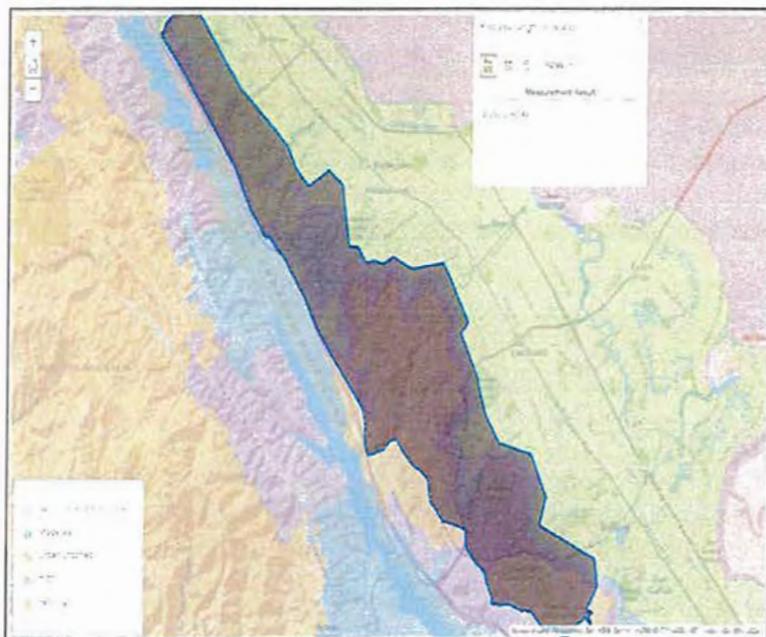
- Variety of base maps (aerial, street and topo)
- Overlay legends and opacity control
- Data response for multiple points (terrain, elevation, slope, aspect, No-HARM risk description)

- o Addition Authorized Content
 - geocoder
 - measuring tool
 - No-HARM overlay with FireSheds
 - fire Behavior layers
 - three static client overlays (at no additional cost- i.e. home footprints, jurisdictional boundaries, FRAP layer etc.)
 - data response includes detailed No-HARM values

Although our platform is very intuitive, we also provide excellent support.



This screen capture shows an example of our user interface which contains an address search, measuring tool and analysis capabilities. Area of study is identified below





City of Larkspur

400 Magnolia Avenue, Larkspur, California 94939

Telephone: (415) 927-5110 Fax: (415) 927-5022

Website: www.cityoflarkspur.org

November 18, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments (ABAG) Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066
jarreguin@ci.berkeley.ca.us

Re: Request for Plan Bay Area 2050 Household Growth as Baseline for Regional Housing Needs Allocation (RHNA) Methodology

Mayor Arreguín:

On behalf of the Larkspur City Council, we submit the following comments on the proposed Regional Housing Needs Allocation (RHNA) methodology under consideration by the ABAG Executive Board. Foremost, we want to emphasize that the Larkspur City Council acknowledges the region-wide need for more housing and is committed to planning for our fair share of that growth. The Council is very appreciative of the work done by the ABAG staff and the Housing Methodology Committee that shaped the RHNA process to date.

The Larkspur City Council recommends the Executive Board follow ABAG staff's July 2020 suggestion to use the Draft Blueprint in the RHNA methodology by using each jurisdiction's share of Household Growth from 2010 to 2050 as the baseline. While the City would prefer a baseline that includes jobs, we support the Household Growth baseline as it results in allocations that reflect jurisdictions with significant jobs that are experiencing growth, including communities that have elected to identify Priority Development Areas in their jurisdictions. "This approach is consistent with how long-range forecasts have been used in ABAG's methodologies for previous RHNA cycles." (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3). In addition, the State Housing and Community Development Department (HCD) has already approved using regional plan household growth as a baseline for 4 of the 8 approved 6th Cycle RHNA methodologies (with 3 others using baselines that factor in jobs, and one using a variety of factors). This approach to use the Plan Bay Area 2050 *Growth* baseline would seem more consistent with the intent of the Plan to encourage housing development in proximity to job centers, which reduces transit and transportation congestion and long commute patterns to meet greenhouse gas reduction targets (consistent with AB 32 and SB 375).

The advantages of this baseline are summarized by ABAG staff (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3):

- Simple and straightforward to implement and discuss (e.g., "the methodology aligns with growth predicted by Plan Bay Area 2050")
- Integrates transit, hazards, and market feasibility through strategies and modeling
- Better aligned with Plan Bay Area 2050

- Emphasis on current and future employment development patterns leads to RHNA allocations more focused in Silicon Valley, region's largest job center
- Higher RHNA allocations in high resource areas near major job centers – notably in the South Bay

The Larkspur City Council understands the challenge of balancing competing interests when developing a model such as that used to calculate RHNA. That said, recent wildfire seasons require reevaluation of plans and priorities that would intensify development in and around wildland-urban interface (WUI) fire threat areas. The methodology before the Executive Board distributes considerable portions of the RHNA to suburban and rural communities constrained by WUI and creates the very real possibility that these communities will have to plan for more housing in these high-risk areas. We also believe greater recognition of the locations of flood plains and shorelines vulnerable to sea-level rise will better inform the RHNA process and lead to allocations that have a higher probability of resulting in safe, affordable new housing units.

Sincerely,



Catherine Way
Mayor



Kevin Haroff
Vice-Mayor and Larkspur ABAG Representative

c: Dennis Rodoni, Supervisor, County of Marin
Pat Eklund, Mayor Pro Tem, City of Novato



November 25, 2020

Jesse Arreguin, Executive Board President
Association of Bay Area Governments
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

RE: Public Comment on Proposed RHNA Methodology

Dear President Arreguin and Honorable ABAG Executive Board Members:

On behalf of the City of Los Altos, we would like to thank ABAG's leadership and staff for all of your hard work and dedication over the course of the past year through the Housing Methodology Committee (HMC) process.

The City of Los Altos, in agreement with the Cities Association of Santa Clara County, objects to a methodology that allocates the largest share to Santa Clara County and unreasonable shares to the City of Los Altos. We further agree with the Cities Association that the RHNA process should be delayed until the State has a better understanding of the impact of COVID, including but not limited to the impact on job and household growth based on the increase in the number of employers allowing employees to telecommute. Additionally, we share the concerns of the Cities Association that a significant portion of the underlying data used in Plan Bay Area 2050 is inaccurate, incomplete and/or outdated.

Like many cities, Los Altos has struggled to meet the much lower numbers that were assigned to us in the previous RHNA process. Assigning even higher numbers, that are completely unrealistic for our city to meet, serves no purpose. We are open and willing to work with ABAG staff to identify the areas where we can expect future development and provide some estimates of what is achievable. We recommend that a realistic approach be used, and support be provided, to identify barriers to building more housing and help local communities like Los Altos tackle those barriers that we can realistically address.

Finally, we understand that the total number of units for the nine Bay Area region was determined by the California Department of Housing and Community Development (HCD). Therefore, we strongly urge ABAG to join us in advocating against moving forward with the RHNA process at this time. Proceeding now will only set local communities up to fail, like Los Altos, and still not help to solve the problem. Instead, we recommend that the HCD, ABAG and representatives from

all cities be invited to partner on developing housing solutions that are realistic and achievable.
Thank you for hearing our voice and taking appropriate action.



Janis C. Pepper, Mayor



Neysa Fligor, Vice Mayor

cc: Megan Kirkeby, Deputy Director Housing Policy Division, California Department Of
Housing and Community Development
Joe Harney, Legislative Division, California Department Of Housing and Community
Development
Santa Clara County Cities Association
Carolyn Coleman, Executive Director, League of California Cities
Jason Rhine, Legislative Director, League of California Cities
Seth Miller, Regional Public Affairs Manager, League of California Cities – Peninsula
Division

LOSALTOS HILLS



CALIFORNIA

November 20, 2020

Honorable Jesse Arreguin
ABAG Executive Board
Bay Area Metro
375 Beale Street
San Francisco, CA 94105

RE: Public Comment on Proposed RHNA Methodology

Dear Board President Arreguin and Members of the Executive Board:

On behalf of the Town of Los Altos Hills, please accept these comments when you move forward with consideration of the proposed Regional Housing Needs Allocation (RHNA) Methodology for the upcoming housing cycle. The Town is fully committed to doing its part to plan for new housing that supports the needs of our community and the greater Bay Area region, but we have serious concerns that the process is moving forward without proper consideration of the new reality that our community and the State now face.

It is too early to know the full extent of how the Covid-19 pandemic will impact the Bay Area economy and long-term growth of our region, but it is undeniable that it will have a meaningful effect on our economy, employment and the very nature of how people live and work. Thus, we are strongly encouraging the Executive Board to recognize this reality, take a pause in the RHNA Methodology process and work with the State and other regional planning partners to study and understand the ramifications that the pandemic will have on the Bay Area region before finalizing the Methodology.

In addition, the RHNA Methodology is using growth goals contained in Plan Bay Area 2050 that are projected over a 30-year time horizon, so to apply these long-term growth “targets” as the basis for the next eight-year RHNA allocation methodology is fundamentally flawed and sets up growth expectations that are impossible to achieve. There have also been serious questions raised about the underlying data that was used to develop the growth projections in Plan Bay Area 2050 and the model that was used to distribute that growth. Beyond the aggressive growth assumptions and lack of consideration of how the pandemic will change the region’s long-term growth, the distribution model does not appear to include an appropriate level of consideration to growth constraints such as infrastructure capacity, wildfire risk, and preservation of open space. Thus, in addition to pausing the RHNA process so that the impacts of the pandemic can be accounted for, we would strongly encourage you to reconsider the data that is being used to underpin the RHNA Methodology.

26379 Fremont Road
Los Altos Hills
California 94022
650 / 941 - 7222
Fax 650/941-3160

Honorable Jesse Arreguin
ABAG Executive Board
November 20, 2020
Page Two

The RHNA Methodology as currently proposed will result in communities around the Bay Area, and particularly in Santa Clara County, being forced to develop new housing at levels not seen since the post-war housing boom of the 1950s and 1960s. Please take the time to develop a methodology that plans for more realistic goals and does not set growth requirements that are impossible to achieve.

Thank you for your consideration.

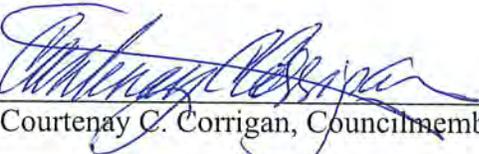
Sincerely,



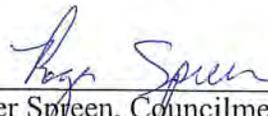
Michelle Wu, Mayor



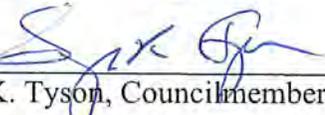
Kavita Tankha, Vice Mayor



Courtenay C. Corrigan, Councilmember



Roger Spreen, Councilmember

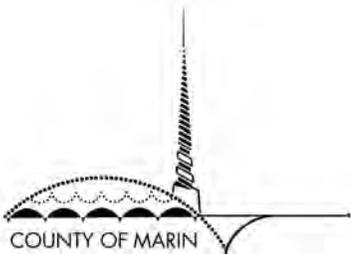


George K. Tyson, Councilmember



Carl Cahill, City Manager

cc: Zach Dahl, Planning and Building Director



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November 13, 2020

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Mayor Jesse Arreguín, President
Association of Bay Area Governments (ABAG) Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066
Via email to RHNA@bayareametro.gov

Re: Proposed RHNA Methodology and Subregional Shares

Dear President Arreguín,

On behalf of the Marin County Board of Supervisors, thank you and the Housing Methodology Committee for the difficult work to ensure the Regional Housing Need Allocation is distributed in an equitable way that both seeks to provide opportunity to those in need of housing and ensures that our shared goals to put housing near services and jobs to address climate change are addressed.

We are committed to addressing housing as an issue of equity; where one lives matters a great deal to health and well-being. We recognize the role that housing policies, laws, and regulations can play in promoting neighborhood conditions that positively shape health and well-being. We are committed to providing affordable housing that provides residents the same chance to live in a safe neighborhood with great schools, healthy food options, public libraries, community centers, parks and trails, transportation hubs, and access to employment centers.

However, we are concerned that the proposed methodology adopted by the Housing Methodology Committee (HMC) and assumptions in the Blueprint 2050 will result in a significant increase in the Regional Housing Need Allocation (RHNA) in the unincorporated County that may make it impossible for us to meet these housing goals.

Marin County has a history of receiving State certification of its housing elements going back to 1970 and we wish to continue this practice. The County has adopted strong housing policy and taken a leadership role with coordinating with our cities and towns on housing. Some of our recent successes include:

- *Staffing the Housing Working Group* – In 2018, staff convened a countywide working group of planners to encourage interjurisdictional collaboration on housing issues and solutions, with a specific focus on responding to 2017 State housing Package. The working group established common goals and continues to coordinate on housing legislation, planning, production, and preservation of existing affordability.

- *SB 2 Grants* – The Housing Working Group jointly filed applications for three projects, including the Objective Design and Development Standards and ADU Workbook and Website in order to collaborate on a common strategy and save on costs and time for each participating jurisdiction.
- *Objective Design Standards* – Marin County jurisdictions hired a consultant to produce a general toolkit that will utilize existing zoning codes as a basis to produce objective standards and guidelines. This toolkit will be customized for each jurisdiction through chapters that outline architectural standards, building patterns, and historical significance.
- *ADU Workbook and Website* – The work includes updating the County website with code compliant floor plans, a calculator that estimates construction costs, homeowner spotlights, and a workbook.
- *Housing Trust Balance* – The Board has deposited over \$10 million in a local fund to be used for fund affordable housing.
- *Acquisition of the former Coast Guard Housing Facility* – after federal legislation required the land be sold to the County and years of negotiations with the Coast Guard, the County purchased the property to be developed as affordable housing.
- *Policies to prevent displacement of our existing lower income renters* – The Board of Supervisors has allocated resources and adopted policies, such as tenant protections and purchasing properties, to prevent displacement.

We understand that our share of the RHNA will increase and we are committed to increasing our housing production, especially of homes affordable to lower income households. However, the proposed methodology and assumptions could result in the unincorporated County receiving over 20 times more than the housing allocated to us in the previous cycle. With an increase of this magnitude, the County may not be able to adopt a compliant housing element unless we put housing in environmentally sensitive areas, prone to fires, flooding, and sea level rise.

Nearly half of the county's land base is protected by park or open space status. With the largest amount of public land in the nine-county Bay Area, Marin County's 118,669 acres of park and open space make up 30 percent of the County's land base, while water area and watershed lands comprise another 20 percent. Approximately 15% remains undeveloped.

- *Infrastructure* – Similar to other unincorporated counties, we lack the infrastructure to support densities of this level, especially because the increase is so magnified on such a short timeline. The goals, policies, and programs contained in the County's General Plan (Countywide Plan or CWP) direct future growth towards the City-Centered Corridor and the existing urban service areas of unincorporated communities to ensure that biotic, agricultural, open space, and other resources would be protected. Policies and programs ensure new development would be confined to areas where adequate public services are available and

coordinate the provision, timing, and funding of public services such that new growth would be appropriate to the specific area and constrained by available services such as water supply and wastewater treatment. Analysis of the Countywide Plan has demonstrated that although development is possible in the City-Centered Corridor, the development of units as required by the proposed RHNA numbers is not realistic in this area due to limited infrastructure and policies in the Countywide Plan to address sensitive habitat, high risk of wildfire, flooding, and sea level rise.

- *Wildfire Hazards* – In light of recent fire events, it is important to address fire hazards. Many unincorporated communities are considered “Communities at Risk” by the National Fire Plan because of the proximity of housing to areas susceptible to wildland fires. The California Department of forestry rates portions of Marin County either as a high, very high, or extreme fire hazard. Many of the high-risk areas are interspersed with developed areas. In addition, many of the roads to access these areas are private, narrow and substandard. New land uses and development could expose people and structures to wildland fires throughout the county, especially in areas with steep slopes, high fuel loads (i.e., dense vegetation) or inadequate emergency access.
- *Flooding and Sea Level Rise* – To address risks of flooding, the CWP requires all improvements in Bayfront, Floodplain, Tidelands, and Coastal High Hazard Zones to be designed to be more resistant to damage from flooding, tsunamis, seiches, and related water-borne debris, and to be located so that buildings and features such as docks, decking, floats, and vessels would be more resistant to damage. While the CWP does not prohibit development impacted by flooding, these are real limitations which will continue to increase as we face climate change. Calculations estimate sea level rises ranging anywhere from approximately 1-3 feet or 8.5-35.2 inches by the end of the Century, further limiting our development opportunities.

One of ABAG’s core strategies is “focused growth in communities along existing transportation networks near homes and jobs...This strategy aims to minimize development in our green fields and maximize growth in transit-rich communities, which will help lower vehicle miles traveled and greenhouse gases.” The proposed RHNA numbers in unincorporated Marin County contradict those policies as the County would be forced to develop in green fields and areas outside of transit networks, existing residential development, and job centers.¹

We would like to reiterate that we understand that RHNA is increasing and the County will be expected to do more than in the past. However, we respectfully request that you consider a methodology that will not focus growth in unincorporated areas with few services and more environmentally sensitive areas. Unincorporated areas have fewer services, infrastructure and jobs. To better reflect the realities of the constraints of unincorporated communities, we

¹ <https://abag.ca.gov/our-work/land-use/pda-priority-development-areas>

would like to endorse recommendations, such as from the Contra Costa Mayors Conference, that the **Plan Bay Area 2050 Growth** baseline be utilized, leaving the HMC-recommended factors in place.

Thank you for the opportunity to comment.

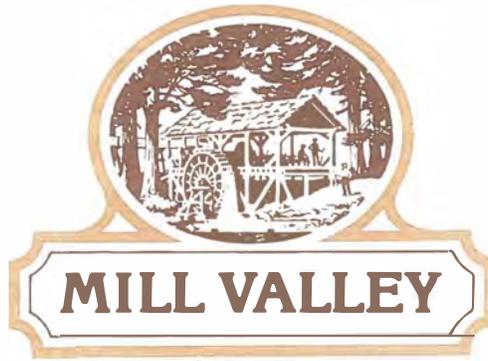
Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Katie Rice".

Katie Rice, President
Marin County Board of Supervisors

Cc: Marin County Board of Supervisors

Sashi McEntee
Mayor
John McCauley
Vice Mayor
Jim Wickham
Councilmember



Urban Carmel
Councilmember
Tricia Ossa
Councilmember
Alan E. Piombo, Jr.
City Manager

November 6, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments, Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

RE: DRAFT RHNA METHODOLOGY

Dear Board President Arreguín:

On behalf of the City of Mill Valley, please find herewith our comments related to the proposed Regional Housing Needs Allocation (RHNA) methodology recommended by the RHNA Housing Methodology Committee (HMC). We ask that these comments be considered in advance of the November 12, 2020 Regional Planning Committee Public Hearing where the recommended methodology will be discussed.

The City of Mill Valley appreciates the efforts and dedication of the diverse stakeholder group of HMC members over the last year in attempting to make a collective recommendation regarding the distribution of 441,000 new housing units within the region, and understands the urgency and challenge of addressing regional policy goals related to housing affordability, climate change and equity in this RHNA cycle.

However, the methodology recommended by the HMC allocates new housing units to areas that lack adequate transportation infrastructure, away from existing and future job centers, and into areas at risk of wildfire and sea level rise. As a result, the recommended methodology and resulting RHNA will threaten our region's ability to grow safely and sustainably into the future. The recommended methodology continues to promote auto dependency and long commute times, exacerbates a significant jobs/housing imbalance and results in numbers for areas like ours that are entirely unrealistic.

The City of Mill Valley is committed to increasing our housing production, especially of homes affordable to lower income households. But the methodology recommended by the HMC allocates far too many units to suburban areas far from job centers that lack adequate transportation infrastructure and are in areas at risk of wildfire and sea level rise. The proposed methodology will not further greenhouse gas reduction goals and is inconsistent with the growth patterns and policy objectives more carefully considered in the *Plan Bay Area 2050 Blueprint*.

Household Growth. We recommend the Executive Board follow ABAG staff's July 2020 suggestion to use the Draft Blueprint in the RHNA methodology by using each jurisdiction's share of Household Growth from 2010 to 2050 as the baseline, and based on guidance received from the Contra Costa County Mayors Conference dated October 2, 2020. We support the Household Growth baseline as it results in allocations that reflect jurisdictions with significant jobs that area experiencing growth, including communities that have elected to be Priority Development Areas. "This approach is consistent with how long-range forecasts have been used in ABAG's methodologies for previous RHNA cycles" (July 9, 2020 HMC Meeting #8, Item 6a, Attachment A, Page 3).

In addition, the State Housing and Community Development Department (HCD) has already approved using regional plan household growth as a baseline for 4 of the 8 approved 6th Cycle RHNA methodologies (with 3 others using baselines that factor in jobs, and one using a variety of factors). For example, Mill Valley is forecasted to grow by 1,000 households during the 30-year Plan Bay Area 2050 but is assigned 830 units for the first eight years of the Plan period alone.

On a regional scale, the Household baseline fails to proportionally assign units to larger jurisdictions that are experiencing growth in both jobs and housing. For example, San Jose is allocated fewer units than San Francisco even though Plan Bay Area forecasts that San Jose will create a half million jobs and San Francisco 182,000 jobs by 2050. However, using a baseline Household Growth increases the units for San Jose above San Francisco in an amount that is equal to 1/3 of its forecasted household growth in the next 30 years.

Small jurisdictions are being set up for failure under the proposed methodology. Mill Valley’s proposed RHNA is *more than twice* our current RHNA. Our proposed RHNA of 830 units for the next eight years is *more than the total number* of units we have been allocated over the last three cycles (23 years of RHNA allocations; see table below). Based on our housing production since 1999, it would take 30 years to create the housing proposed under the current RHNA. This is entirely unrealistic.

| RHNA Cycle | Units Allocated to Mill Valley |
|--|--------------------------------|
| 3 rd :1999-2006 | 225 |
| 4 th :2007-2014 | 129 |
| 5 th : 2015-2022 | 292 |
| Subtotal RHNA Cycles 3 rd -5 th (23 years) | 646 |
| 6 th : 2023-2030 / Proposed HMC Methodology | 830 |

Roadway Access, Fire Hazard Areas and FEMA Floodway Areas. Moreover, protecting Bay Area citizens from hazardous conditions, such as fire danger, must be included in the RHNA criteria. ABAG should collect more information and factor topographical constraints of the region, FEMA and high fire severity zones in the RHNA Methodology in order to accurately address development constraints.

Emergency access and fire safety are of paramount concern for residents living along hillsides in communities like ours. Of the 6,539 parcels in Mill Valley, approximately 60% (3,865) are located in the Wildland Urban Interface and 33% (2,183) are located in the Very High Fire Severity Zone. These areas also represent largely sloped areas with roadways less than 20’ wide. These lots are developed parcels zoned as Single-Family-- rightfully so, as they pose little opportunity for any other type of development due to limited access. Another 306 parcels are in the FEMA Floodway where the building footprint cannot be expanded.

These local site conditions have to be recognized as part of the process. *Almost 65% of the City’s parcels which are already developed are in a high fire zone with limited access or FEMA Floodway that prohibits changes to an existing parcel’s footprint.* There needs to be a better understanding of these local site conditions and acknowledgement that there is little opportunity for growth and development in these areas. Mill Valley like other similar limited access coastal communities settled in challenging terrain and simply lacks the capacity to physically accommodate anything remotely close to the housing units under the proposed housing methodology.

COVID and Changing Conditions. Finally, the housing allocation methodology must factor changing conditions—the economy, housing market and working conditions based on COVID. The region’s commercial and business zones are not what they once were due changes in consumerism/retail (pre-COVID) as well as new economic conditions and increasing prevalence of working remotely from home. Remote work from home is becoming a new business model that should be further explored. Former commercial and business zones provide new housing opportunities through mixed use development, or conversion of existing office buildings into housing units. The vacancy rate of commercial buildings in the region should be documented to help identify such potential. Conversion of office space could potentially provide the same housing opportunities that have come about through the State’s Accessory Dwelling Unit program.

We acknowledge the work of the Committee and the importance of addressing the current and future housing needs of the Bay Area. The City of Mill Valley continues to do its part through the implementation of various programs contained in its Housing Element and has successfully worked to meet its regional housing goals in the past three cycles. Most recently, the City launched a home sharing program. While these programs and new housing starts may not necessarily be documented in the “RHNA” process, the City recognizes the potential opportunity to provide additional housing within the existing built environment.

In summary, ABAG must provide overall policy guidance to address Bay Area housing needs that acknowledge local topographical conditions such as FEMA Floodway and Fire Severity Zones, that prioritize areas with adequate transportation infrastructure and are in or near existing and future job centers.

Sincerely,



Sashi McEntee
Mayor of Mill Valley

Cc:
Mill Valley City Council
Planning and Building Director Kelly
File



A Tradition of Stewardship
A Commitment to Service



November 10, 2020

Jesse Arreguin, President
Association of Bay Area Governments (ABAG)
Bay Area Metro Center
375 Beale Street Suite 800
San Francisco, CA 94105

Dear President Arreguin:

The City and County of Napa would like to express its appreciation to ABAG's Housing Methodology Committee (HMC) and offer some comments on the recommended Regional Housing Needs Allocation (RHNA) methodology. Our comments are not intended to detract from the work of the HMC, which -- as those of us who served can attest -- worked long and hard to establish a proposed methodology for the upcoming RHNA cycle (2023-2031). We also want to recognize the work of ABAG staff, and the tremendous challenge posed by the need to find an equitable distribution of the 441,176 housing units assigned to the Bay Area for the next RHNA cycle (2023-2031).

At its final meeting on September 18th, the HMC voted 27 to 4 to recommend "Option 8A: High Opportunity Areas Emphasis & Job Proximity" as the proposed methodology. We understand that this methodology was subsequently recommended by the Regional Planning Committee and the ABAG Executive Board. Option 8A included use of Year 2050 households from the Plan Bay Area 2050 Blueprint as the baseline allocation, and what is referred to as "the Bottom-Up" approach to income allocation, in addition to factors related to High Opportunity Areas and Job Proximity. Specifically, the Option 8A RHNA methodology can be summarized as follows:

1. Baseline allocation: 2050 Households (Blueprint)
2. Income allocation approach: Bottom-Up
3. Factors and weights: Option 8A: High Opportunity Areas Emphasis & Job Proximity

| <u>Very Low and Low</u> | <u>Moderate and Above Moderate</u> |
|---|---|
| <ul style="list-style-type: none">▪ 70% Access to High Opportunity Areas▪ 15% Job Proximity – Auto▪ 15% Job Proximity - Transit | <ul style="list-style-type: none">▪ 40% Access to High Opportunity Areas▪ 60% Job Proximity – Auto |

This approach utilizes what was presented as a 'middle road' baseline of "Plan Bay Area 2050 Future Households" and a weighting of factors that prioritizes "Access to High Opportunity Areas.'

This methodology could do more to support region-wide efforts to reach a jobs/housing balance by incorporating an alternate baseline and by modifying its focus on High Opportunity Areas. Specifically, we support questions posed by the Contra Costa County Mayors Conference regarding the selected baseline, and do not believe the HMC was given adequate information to evaluate the difference between the use of Plan Bay Area 2050 *Future Households* and Plan Bay Area *Future Growth*. Also, we do not believe that the HMC was adequately informed regarding the definition (and location) of High Opportunities Areas or the consequences of the recommended methodology's emphasis on High Opportunity Areas, including the following:

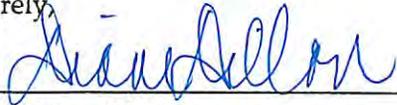
- A. The definition of High Opportunity Areas is based on limited data in the form of income and census information that often does not follow jurisdictional lines or established communities.
- B. By focusing on High Opportunity Areas, there has been a greater emphasis on using RHNA as means for establishing social equity than for a balanced and sound land use plan as required by SB 375 and the objectives of Government Code Section 65584(d) which include protecting environmental and agricultural resources and encouraging efficient development patterns.
- C. Placing homes near job centers and away from natural hazards (fire severity zones, sea level rise, etc.), and preserving agricultural and open space areas have all been given lower priority than placing homes in High Opportunity Areas. The result is a methodology that will unintentionally result in a loss of farmland and open space, increase the need for mitigation and assistance in the case of emergencies, result in greater greenhouse gas emissions, and place greater strains on our regional transportation system.

Napa County has faced extraordinary challenges this year and lost a significant number of houses due to wildfire in 2017 and 2020. We want to ensure the RHNA does not disproportionately impact rural communities like ours that are experiencing more frequent natural hazards, that provide the region's agricultural and open space areas, and that have limited infrastructure outside of incorporated communities. Loss of units due to these wildfires, lands in agricultural preservation under state or federal programs or per local ballot measures must be considered in developing the methodology (See Government Code Section 65584(e)).

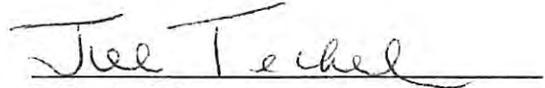
Fine tuning the methodology to address these issues could include changes to the baseline, adjustments to how lands within Spheres of Influence are accounted for, adjustments to the definition of High Opportunity Areas, and post-allocation adjustments for rural communities impacted by natural hazards. We would be happy to work with you and your staff on any of these ideas.

Please don't hesitate to reach out to us, or to our planning directors, David Morrison at david.morrison@countyofnapa.org and Vin Smith at vsmith@cityofnapa.org, if we can answer any questions. This is important work, and we look forward to our continued discussion!

Sincerely,



Diane Dillon, Chair
Napa County Board of Supervisors



Jill Techel, Mayor
City of Napa



CITY OF NOVATO
CALIFORNIA

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Denise Athas
Mayor Pro Tem
Pat Eklund
Councilmembers
Eric Lucan
Amy Peele
Susan Wernick

City Manager
Adam McGill

November 18, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments, Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

RE: Proposed RHNA Methodology and Subregional Shares

Dear Board President Arreguín:

On behalf of the City Council of the City of Novato, please accept this letter of comment to the proposed 6th Cycle Regional Housing Needs Allocation (RHNA) methodology recommended by the Housing Methodology Committee (HMC) and subject of the November 12, 2020 public hearing before the Regional Planning Committee. We request these comments be read and considered in advance of the Executive Board's approval of a draft allocation methodology submission to the Department of Housing and Community Development (HCD) in January 2021.

The City of Novato appreciates the dedication of the various appointed officials, staff members and volunteers in developing a variety of methodologies and factors for consideration. We also appreciate the innumerable efforts to achieve consensus on an appropriate distribution of 441,000 new housing units. The responsibility was especially daunting given the array of competing issues, including housing supply and affordability, regional equity, climate change and transportation infrastructure and funding.

As a city located in one of the region's smaller and less urbanized counties, however, we are compelled to point out aspects of the resulting housing numbers which we believe are counter to the overall goals of Plan Bay Area, even if the inconsistencies are presumed to be a temporary step toward future consistency.

Plan Bay Area is a smart, well-formulated and sensible growth strategy for our region. We look to PBA 2040 for developing our own long range land use and transportation planning. We have been implementing those plans to the best of our ability by planning for and streamlining affordable housing development, by utilizing limited City funds to support development of housing for our area's lower income and homeless families and by advocating for the development of a third SMART station to provide forward-looking public transportation alternatives for our residents and visitors. The proposed methodology, however, allocates growth in ways that counter the strategies of PBA and sets us up for failure. It promotes auto dependency and long commute times, exacerbates a significant regional jobs/housing imbalance and results in numbers that are wholly unrealistic and not anticipated in our long range planning. This last point is especially critical for our ability to provide services to these future residents.

After several long years of technical work and community participation, just last month, this Council adopted Novato General Plan 2035. GP 2035 relied upon growth estimates from PBA 2040. Those estimates were consistent with past rates of growth and development activity. Our physical infrastructure (streets, water, sewer, storm drains) and our administrative

infrastructure (revenue projections, budgets and staffing) are all based on those same assumptions.

GP 2035 has a total future buildout of 930 housing units. The proposed RHNA methodology would result in a 2023-2031 Novato allocation of 2,107 housing units. This is more than a 125% increase in housing units and it is expected to be built in half the time. You can readily see why we anticipate we will be unsuccessful in achieving the housing or being able to provide the units with needed services. Dramatic increases in infrastructure capacity can be reliably achieved in only two ways – agency funded capital projects, or development impact fees. Increases in fees will simply lead to increases in the cost of developing housing and the same cycle of increasing costs and lack of production will continue. Without similar rates of growth in revenues, we will be unable to pay for needed capital projects or staffing to assist with permitting, streets maintenance, utility services, public safety services, business licenses, recreation services, etc. We believe the proposed HMC methodology accelerates housing development too quickly in areas with insufficient infrastructure. We simply do not have the resources to escalate our infrastructure at that same rate. The methodology takes the region off the strategic path identified by PBA and utilized by local governments, in good faith, to do our own realistic and sustainable long range planning.

Novato has a long history of providing affordable housing in our County. We have an inventory of nearly 2,200 below market rate, deed restricted housing units in our City. That number is more than 10% of our entire housing stock. In the past twenty years, nearly 50% of all new residential construction has been affordable housing. We are currently on track to achieve 88% of our 5th Cycle *very low income* units. We understand and support housing equity and believe strongly in the same goals of equity furthered by the recommended methodology. In addition, however, we want to continue implementing a smart and strategic plan for growth.

We recommend the Executive Board take ABAG staff's July 2020 suggestion to incorporate the *Draft Blueprint* in the RHNA methodology by using each jurisdiction's share of **Household Growth** from 2010 to 2050 as the baseline. The **Household Growth** baseline results in higher allocations for jurisdictions with significant jobs that are experiencing growth, including communities that have elected to be Priority Development Areas. ABAG staff stated in their July 9, 2020 meeting materials that this approach is consistent with how long-range forecasts have been used in past methodology development. The advantages of this baseline were summarized by ABAG staff this way (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3):

- Simple and straightforward to implement and discuss (e.g., “the methodology aligns with growth predicted by Plan Bay Area 2050”)
- Integrates transit, hazards, and market feasibility through strategies and modeling
- Better aligned with Plan Bay Area 2050
- Emphasis on current and future employment development patterns leads to RHNA allocations more focused in Silicon Valley, region's largest job center
- Higher RHNA allocations in high resource areas near major job centers – notably in the South Bay

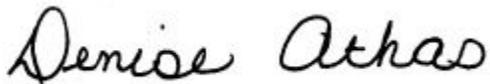
Finally, we want to emphasize several important factors considered in the development of GP 2035 related to climate change. It is now clearly understood that we are on track to experience prolonged high heat days and intensified winter rainfall. These conditions will result in increased threat of wildfire, flooding and sea level rise and create concern for us in our location and situation. Marin County's topography has resulted in patterns of small development pockets surrounded by vegetated hillsides and ridges, often with limited points of access and evacuation routes. Runoff down these steep slopes results in numerous creeks and drainages. These features make the County a beautiful and desirable place to live but climate change has shown us that they can also be dangerous places to develop. Most of these areas are entirely unsuited for increased intensity, yet the extremely high numbers resulting from the methodology will lead to pressure to develop in these and other hazardous areas. We have enclosed fire hazard mapping to illustrate our points. The vast majority of

our city is surrounded by high or very high risk of fire and we are completely enclosed by either the Wildland-Urban Interface or areas subject to sea level rise.

In view of these potential hazards, the City requests that ABAG add to the *2050 Plan Bay Area Blueprint* Wildland-Urban Interface Fire Threat areas for the San Francisco Bay Region, which are available in the Metropolitan Transportation Commission Map Gallery. Currently, only CAL FIRE Very High Severity zones are factored into the Plan, which do not adequately represent wildfire risk. In addition, we request that FEMA flood maps be used to more accurately depict flooding hazards along our creeks and waterways. These data sets will more accurately reflect the true constraints we have in achieving the numbers and pace of housing development as well as necessary infrastructure support. These are not included as hyperbole, but rather, the scientific facts we incorporated into our long range planning for growth. We understand the HMC majority opinion that RHNA may not be the appropriate tool for evaluating risk. The logic is that cities can rezone for higher density in non-hazardous areas. Housing development over the past 10 years in our market has proven that to be an inaccurate precept and we respectfully disagree. Developers want to build less dense housing in this market, and despite numerous incentives, they consistently opt for townhome densities in the 18-22 du/acre range. Rezoning for a development type that will not materialize does not further the goal of increasing housing production and will simply drive land prices up even higher.

We respectfully request that the Board choose an alternative utilizing Household Growth as the baseline for an allocation methodology and incorporate the natural hazards data described above. This combination will result in realistic numbers that are achievable and keep us on the smart and strategic path established by Plan Bay Area. Thank you again for all of your hard work. We appreciate your consideration of our comments.

Respectfully,



Denise Athas
Mayor

cc: RHNA@bayareametro.gov
Judy Arnold, Supervisor District #5, County of Marin

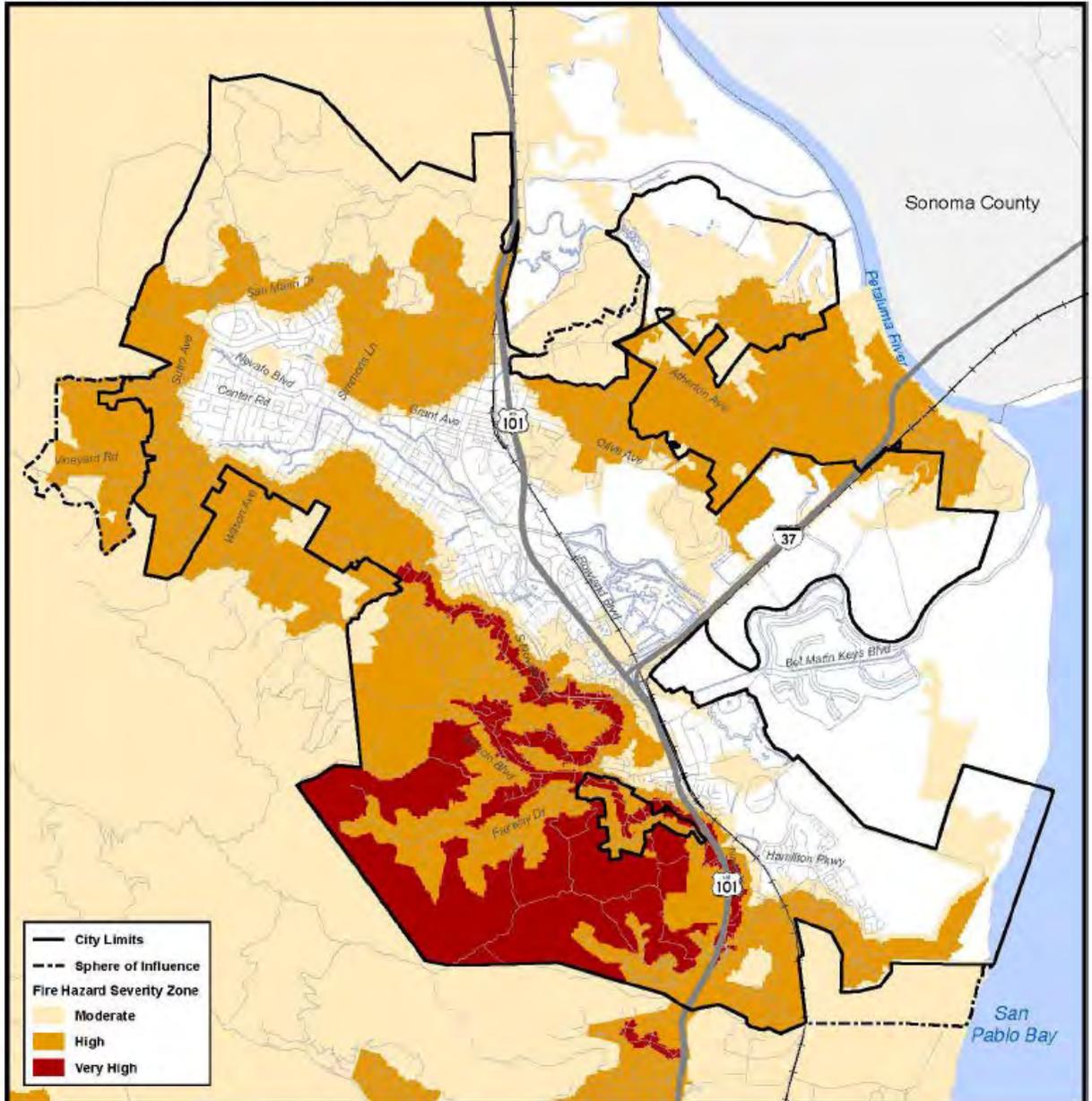
Attachments:

1. Novato Fire Hazard Severity zones
2. Novato Wildland Urban Interface zones

NOVATO GENERAL PLAN 2035 (EXCERPT)

FIGURE CW-4 FIRE HAZARD SEVERITY ZONES

FIGURE CW-4 FIRE HAZARD SEVERITY ZONES

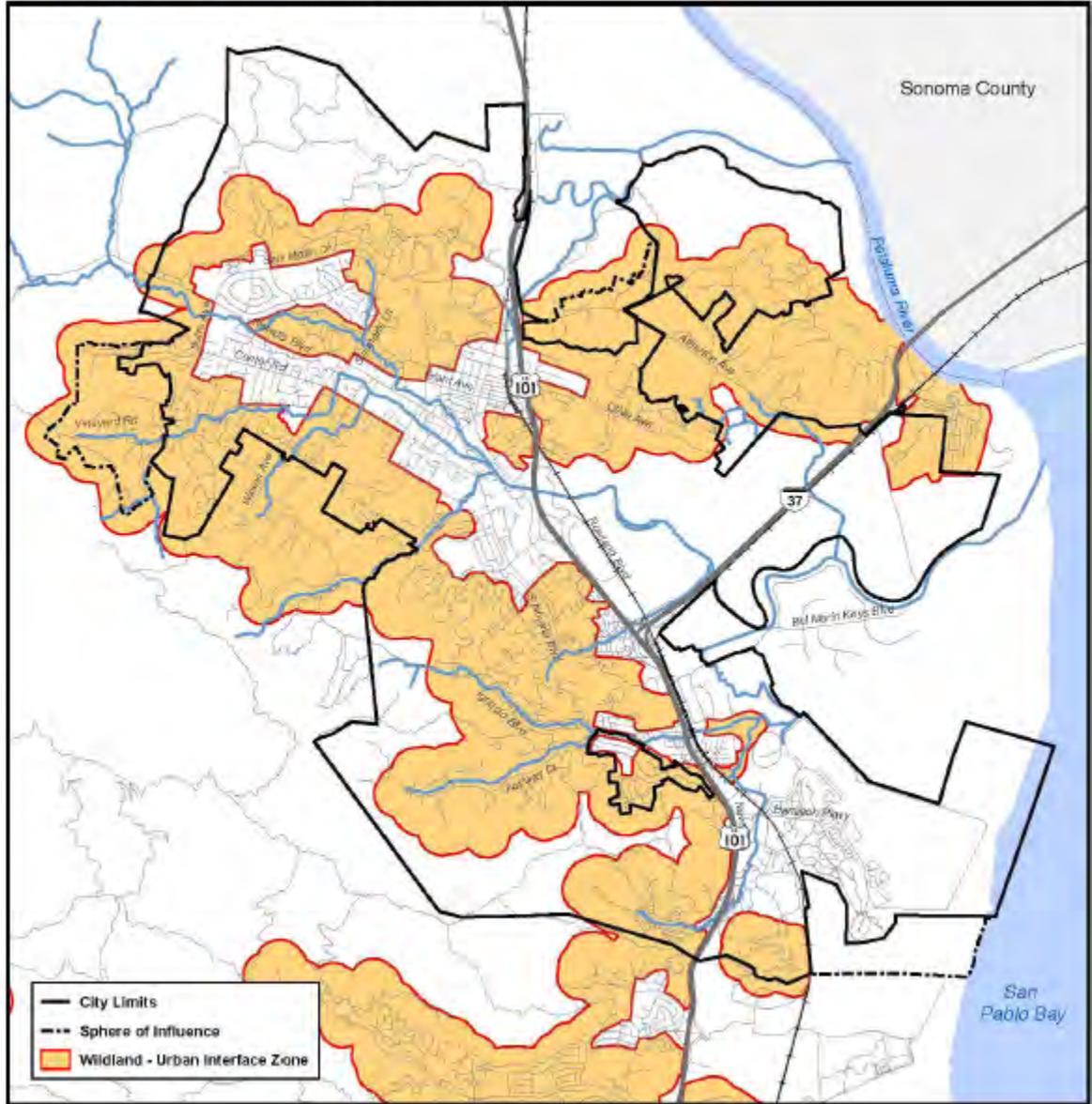


Source: MarinMap, 2016

NOVATO GENERAL PLAN 2035 (EXCERPT)

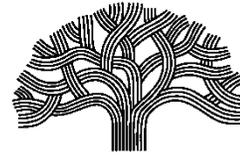
FIGURE CW-5 WILDLAND URBAN INTERFACE ZONE

FIGURE CW-5 WILDLAND URBAN INTERFACE ZONE



Source: MarinMap, 2016

CITY OF OAKLAND



1 FRANK H. OGAWA PLAZA • 3RD FLOOR • OAKLAND, CALIFORNIA 94612

Office of the Mayor
Libby Schaaf
Mayor

(510) 238-3141
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VIA ELECTRONIC MAIL

November 19, 2020

Mayor Jesse Arreguin, President
Executive Board, Association of Bay Area Governments
375 Beale Street, Suite 800
San Francisco, CA 94105
rhna@baymetro.gov

RE: Regional Housing Needs Allocation Proposed Methodology, 2023-2031 – Support for the Proposed Methodology (Option 8A using the Plan Bay Area 2050 Households Baseline)

Dear Mayor Arreguin and ABAG Executive Board:

Thank you for the opportunity to comment on the proposed methodology for the Bay Area’s Regional Housing Needs Allocation (RHNA) process for the 2023-2031 cycle. The region’s housing crisis continues and the RHNA process is a critical element in ensuring that all jurisdictions in the Bay Area are in a position to help solve this crisis.

I strongly encourage you to support the current proposed RHNA methodology – Option 8a using the Plan Bay Area 2050 Households Baseline. The current proposed methodology will help address global climate change and systemic racism by reducing greenhouse gases and affirmatively furthering fair housing. The proposed methodology is the best available option for the following reasons:

- **The proposed methodology addresses the region’s housing and climate crises by promoting infill development near jobs and transit and by providing access to high opportunity areas.** It is consistent with the Draft Blueprint for growth in Plan Bay Area 2050 and allocates close to 40 percent of the housing growth to the three big cities – Oakland, San Francisco and San Jose – while meeting RHNA’s statutory objective to affirmatively further fair housing.
- **The Housing Methodology Committee (HMC) process was thorough and fair.** The HMC was a diverse group of stakeholders comprised of local elected

officials, local jurisdiction staff and representatives from local and regional advocacy organizations. It spent a year analyzing this highly technical and complex issue.

- **The proposed methodology reflects a compromise.** Some HMC members voted to place a greater emphasis on access to high opportunity areas and some members voted to place a greater emphasis on proximity to jobs and transit. There is no single solution that will please every jurisdiction in the region. The proposed methodology strikes a delicate balance.
- **New alternatives weren't analyzed by the HMC.** I am concerned about the ABAG Executive Board exploring new methodology alternatives that weren't vetted by the HMC. We're running out of time. Consideration of new alternatives could delay the RHNA process. Jurisdictions need as much time as possible to update their Housing Element which will be more challenging this cycle due to the much higher number of housing units allocated to the region by the State.

I strongly urge you to **reject alternatives, such as changing the baseline to Plan Bay Area 2050 Growth, that perform worse on the statutory objectives' performance metrics.** Alternative proposals that use Plan Bay Area 2050 Growth as the baseline, for example, fail to meet the statutory objective to affirmatively further fair housing and perform worse than the current proposed methodology on almost all other metrics. While this alternative may appeal to some jurisdictions who will see their allocation decrease, it shifts housing units to other jurisdictions, upsetting the delicate balance found in the current proposal.

If any further adjustments to the methodology are made, they should instead perform holistically better on the metrics and objectives. One such adjustment is the **Equity Adjustment**, which improves the methodology's performance on the affirmatively furthering fair housing objective. The Equity Adjustment ensures that racially and/or economically exclusive jurisdictions receive a fair and proportional share of very low- and low-income allocations.

Thank you again for this opportunity. I deeply appreciate your work on the RHNA process and believe that the current proposed methodology is the best available option to address our climate and housing crises while addressing racial inequities in our region.

Sincerely,



Libby Schaaf
Mayor of Oakland

Cc: Ed Reiskin, City Administrator
Shola Olatoye, Director of Housing and Community Development
William Gilchrist, Director of Planning and Building



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA

170 Santa Maria Avenue • Pacifica, California 94044-2506
www.cityofpacifica.org

MAYOR
Deirdre Martin

MAYOR PRO TEM
Sue Beckmeyer

COUNCIL
Sue Vaterlaus
Mike O'Neill
Mary Bier

November 24, 2020

Mayor Jesse Arreguin, President
Executive Board, Association of Bay Area Governments
375 Beale Street, Suite 700
San Francisco, CA 94105

RE: Comments on the Proposed Methodology for the 6th Cycle Regional Housing Need Allocation

Dear Chair Arreguin,

On behalf of the City of Pacifica (City), please accept our comments on the proposed Regional Housing Needs Allocation (RHNA) methodology. The proposed methodology would result in a 367% increase (1,933 units) in unit allocation from RHNA 5.

The City appreciates the efforts and dedication of the diverse stakeholder group of Housing Methodology Committee (HMC) members and the inclusion of equity factors in the draft 6th Cycle RHNA methodology. Pacifica understands the urgency and challenge of addressing regional policy goals related to housing affordability, climate change and equity in this RHNA cycle. However what the HMC and Executive Board may not realize, is the incorporated area in Pacifica is 47% preserved open space with much of this land owned by other agencies such as the Federal Government (Golden Gate National Recreation Area). Pacifica is also partially in the Coastal Zone (15% of incorporated area). As a result, the City of Pacifica has no or limited land use authority over 67% of the City's incorporated acreage and finding adequate sites to accommodate the unit allocation that would result from the proposed methodology will be extremely difficult. The draft methodology also allocates new housing units to jurisdictions, like Pacifica, that lack adequate transportation infrastructure; are subject to hazards such as wildfires; and have other significant development constraints, such as coastal erosion.

The draft methodology and resulting RHNA, will not only fail to meet the Bay Area's total regional housing need, but will threaten our region's ability to grow sustainably into the

future. The result of the draft methodology is to push a greater proportion of new development into areas that will promote auto dependency and longer commute times, exacerbate GHG impacts, and run counter to the goals and objectives of the recently released Plan Bay Area Blueprint. To avoid these outcomes, we recommend consideration of the following changes to the recommended methodology:

- Utilize Plan Bay Area 2050 household *growth* rates between 2019 and 2050 as the baseline for the RHNA allocation rather than Plan Bay Area future households in 2050. Using the Plan Bay Area 2050 *Growth* baseline will encourage housing development in proximity to job centers, reduce transportation congestion, and reduce greenhouse gas emissions, consistent with both AB 32 and SB 375.
- Leave the HMC factors, including equity factors, in place.

By modifying only the baseline factor, the suggested modifications will continue to be consistent with RHNA statutory objectives to:

1. Increasing the housing supply and mix of housing types, tenure, and affordability;
2. Promote infill development and socioeconomic equity, protecting environmental and agricultural resources, and encouraging efficient development patterns;
3. Promoting an improved intraregional relationship between jobs and housing;
4. Balancing disproportionate household income distributions; and
5. Affirmatively furthering fair housing

Again, Pacifica recognizes the challenge that the HMC faced in developing an appropriate allocation methodology and we appreciate your consideration of our recommendation and perspectives.

Sincerely,



Deirdre Martin
Mayor

cc: City Council
Planning Commission

City of Palo Alto
Office of the Mayor and City Council

Date: November 18, 2020

ABAG Executive Board Members

ABAG-MTC Public Information Office Staff

Submitted Via Email To: info@bayareametro.gov and RHNA@bayareametro.gov

RE: Proposed RHNA Methodology and Subregional Shares

Dear ABAG Executive Board Members,

Thank you for the opportunity to provide comments on the proposed RHNA methodology. We believe that the proposed RHNA methodology (Option 8A), without modifications, will result in a significant number of jurisdictions appealing both their own and others' draft RHNA allocations in Summer 2021.

The City believes that many regional tensions in the RHNA process can be relieved by ABAG updating the recommended RHNA methodology. We have organized our primary concerns into the three general areas: policy, procedure, and data.

ABAG and MTC staff need more time to analyze the comments received and prepare adjusted RHNA methodology options for RPC and Executive Board consideration in December 2020 and January 2021. ABAG and MTC staff also need more time to analyze and describe any shift in baseline-related outcomes for the recommended RHNA methodology resulting from incorporation of the Plan Bay Area 2050 Final Blueprint modeling results, given that comments received to date reflect considerations resulting from the Draft Blueprint modeling.

Policy Areas of Concern

2050 Baseline Allocation Inappropriate for Eight-Year RHNA Cycle. The City believes that it is unreasonable to apply long range aspirational housing goals to the near term RHNA allocation process, especially with three more RHNA cycles within the 30-year time horizon of Plan Bay Area 2050. Achieving the visionary housing goals in Plan Bay Area 2050 currently relies on new funding sources, some of which require voter approval, political compromises, and infrastructure that has not yet been funded, approved, or built. However, use of the 2019 Existing Households baseline could be utilized with factors and weighting to 1) root the RHNA methodology in existing conditions as a starting point and 2) achieve the housing goals and be consistent with Plan Bay Area 2050.

Methodology Should Include a Cap to Address Development Feasibility. Under the anticipated draft RHNA allocations resulting from use of the Plan Bay Area 2050 Final Blueprint 2050 Households baseline, the City supports the application of a reasonable cap to limit how much housing a community is expected to build over the RHNA cycle. Housing units that exceed the cap should then be redistributed to other jurisdictions. This addresses fundamental development feasibility, especially under current recession circumstances. The concern is many jurisdictions potentially failing to meet their market rate housing targets, subsequently being subject to the permit streamlining requirements of SB 35, and then these jurisdictions losing control over local land use decisions four years into the RHNA cycle.

For Palo Alto and other Santa Clara County and San Mateo County jurisdictions, this anticipated RHNA allocation would result in the need to plan for a population growth equivalent to building a new small city in eight years within existing built-out jurisdictional boundaries. Staff estimates that Palo Alto's anticipated allocation would require the need for significant increases in municipal services, including more parkland, expanded public safety services, greater access to libraries and public schools and other services to accommodate a population growth that averages an estimated 3,000 new residents each year during the RHNA cycle. This is equivalent to a population increase of approximately 23,000 new residents or a 36% growth in the City's population. Development at this scale and pace is not realistic and not feasible for a built-out community. A growth cap is necessary to ensure jurisdictions can reasonably plan for and produce more housing units.

Methodology Promotes Urban Sprawl in Unincorporated Areas. Use of the Plan Bay Area 2050 Final Blueprint 2050 Households baseline results in the unintended consequence of assigning a significant number of new housing units to unincorporated County areas across the region. This could lead to urban sprawl across the region. Therefore, the City does not support the use of this baseline for the methodology.

As a possible remedy, ABAG and MTC staff suggested nearby Santa Clara County jurisdictions absorb portions of these county housing units or potentially annex currently unincorporated areas. For Santa Clara County and Palo Alto specifically, this approach requires legal review and is likely unworkable under existing agreements between Santa Clara County, Stanford University, and Palo Alto. Furthermore, the City previously requested that the RHNA methodology account for "town and gown" concerns generated by the adjacency of unincorporated Stanford University to nearby jurisdictions. The City already absorbs a significant amount of the housing demand generated by Stanford University land uses. In the past, through the RHNA appeal process, some of the City's units were transferred to the County to address this discrepancy. The adopted methodology should account for these adjacency issues and not compel jurisdictions to file an appeal in order to receive a fair share allocation of the regional housing need.

Procedural Areas of Concern

COVID-19 Pandemic and Recession. With the unanticipated intrusion of COVID-19 early this year and all that has come with this pandemic, the seriousness and depth of its implications to the overall RHNA process needs to be fully considered. It is important to understand how ABAG accounted for development feasibility for the current eight-year RHNA cycle under recession conditions. Additionally, it remains unclear when new funding sources described in Plan Bay Area 2050 for housing retention and production would arrive in this recession and if they would be in effect in time to assist jurisdictions meet the RHNA allocations for the current eight-year RHNA cycle.

More can be done in the RHNA methodology to account for current and future improvements in the existing jobs/housing imbalances in the region due to the current success of remote work and telecommuting. The fundamental location attribution for the jobs related RHNA methodology factors should be recalibrated for jurisdictions across the region. The pre-pandemic and pre-recession scoring used does not account for outmigration of jobs from the Bay Area and the anticipated increased levels of telecommuting in post-pandemic and post-recession conditions.

Data Areas of Concern (Mapping and Modeling)

Regional Growth Strategies Mapping and Modeling Accuracy. Mapping, modeling results, and associated assessments of development potential underlie the regional land use pattern in the Plan Bay Area 2050 Final Blueprint. Accuracy in the regional growth strategies mapping and modeling is fundamental if 2050 Households is used as the RHNA methodology baseline. Staff coordination with ABAG/MTC staff regarding the City's portion of the regional growth geographies mapping and modeling remains ongoing. Palo Alto may be assigned more growth and development potential than is appropriate. Interim maps still include some park and school areas, areas that are anticipated to experience lower or no transit service levels in the future, the local Veterans Administration area that is assigned over 1,000 housing units, and other areas of concern. Furthermore, interim modeling results identify some larger parcels with significant existing infrastructure and buildings as identified for future housing growth. Staff notes that these larger parcels are unlikely to redevelop in the next eight-year RHNA cycle and some are unlikely to redevelop in the next 30 years. Other Santa Clara County jurisdictions also have mapping accuracy concerns. It is difficult to have confidence in the use of the Plan Bay Area 2050 Final Blueprint 2050 Households baseline with these mapping and modeling concerns still outstanding.

Looking forward, the City requests that ABAG schedule release of staff reports or other key information sufficiently in advance of public hearings to allow jurisdiction staff to bring these items to their respective elected bodies and other local stakeholders. This request includes materials for the forthcoming ABAG Executive Board meeting and the forthcoming release of updated Plan Bay Area 2050 Final Blueprint modeling results.

Thank you for your continued consideration.

Adrian Fine, Mayor

DocuSigned by:

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CC:

Palo Alto City Council Members

Ed Shikada, City Manager, City of Palo Alto

Molly Stump, City Attorney, City of Palo Alto

Jonathan Lait, Director, Planning and Development Services Department, City of Palo Alto

ABAG Regional Housing Needs Allocation Staff, RHNA@bayareametro.gov

Fred Castro, Clerk of the Board, Association of Bay Area Governments, fcastro@bayareametro.gov;
rhna@TheCivicEdge.com



CITY OF PIEDMONT CALIFORNIA

November 24, 2020

Public Information Office
ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION
375 Beale Street Suite 800
San Francisco, CA 94105

SUBJECT: Proposed RHNA Methodology and Sub-Regional Shares

Dear ABAG/MTC Colleagues:

Thank you for the opportunity to comment on the proposed Regional Housing Needs Allocation (RHNA) methodology. This letter supplements comments previously submitted by the City of Piedmont to the Housing Methodology Committee and the ABAG Executive Board. We continue to have concerns about the methodology and its outcomes, as well as the process for soliciting and responding to comments on the draft allocations.

This letter focuses on five specific points:

1. Insufficient data has been provided to demonstrate that the RHNA is consistent with the Plan Bay Area 2050 Draft Blueprint
2. The “2050 Household Baseline” is not an appropriate starting point for the allocations, and unintentionally directs growth to cities with physical capacity and natural hazard constraints
3. The proposed methodology has a disproportionate impact on smaller cities, many of which are not expected to generate significant employment during the planning period
4. The Draft RHNA numbers appear to be fundamentally inconsistent with State goals to reduce Vehicle Miles Traveled and greenhouse gas emissions, improve air and water quality, preserve agricultural land, and focus development away from areas with high wildfire risks
5. The Draft RHNA numbers do not appear to support equity goals, as they assign “above market rate” housing to affluent jurisdictions to a far greater extent than the last three RHNA cycles

Finally, our letter presents a revised approach to the RHNA that better reflects land capacity constraints and projected growth patterns, while still considering the direction provided by the Housing Methodology Committee. As appropriate, our letter references the October 2020 [RHNA Methodology Report](#) posted to the ABAG-MTC website.

In the pages below, we provide a discussion of our concerns.

1. Insufficient data has been provided to demonstrate that the RHNA is consistent with the Plan Bay Area 2050 Draft Blueprint.

SB 375 requires that the RHNA is consistent with the Sustainable Communities Strategy. In other words, consistency between the 2023-2031 RHNA and the Plan Bay Area 2050 Draft Blueprint (PBA 2050) is statutorily required. Page 13 of ABAG's RHNA methodology report concludes that the two documents are consistent based on the fact that the 8-year RHNA's do not exceed the 35-year (2015-2050) growth forecasts for sub-regions in the Bay Area.

This conclusion is flawed on two levels. First, the 35-year forecast period is more than four times the length of the 8-year RHNA time horizon. It is irrational to conclude that a RHNA can be deemed consistent with the SCS if it presumes a sub-regional growth rate that is four times higher than the forecast for that area.

Second, and more importantly, there is no way to evaluate consistency without jurisdiction-level forecasts for the region's 101 cities. Consistency at a sub-regional level is meaningless, as sub-regions do not have the authority to write, adopt, or implement Housing Elements. This responsibility rests with cities and counties alone. Sub-regions contain jurisdictions with vastly different populations, employment bases, geographies, hazard levels, and physical constraints. Lumping dissimilar cities together as sub-regions in PBA 2050, and then assigning growth at the city-level through the RHNA process, makes it impossible to determine consistency between the two processes.

We urge ABAG to publish jurisdiction-level forecasts for PBA 2050 so that consistency can be accurately and transparently determined. If the 2040 forecasts are used as a proxy, the RHNA appears grossly inconsistent with the forecasts for many jurisdictions, including our own.

In Piedmont's case, the Draft RHNA is approximately 600 units for an eight-year period. Based on our communication with ABAG, the PBA 2050 growth forecast for Piedmont is approximately 60 units. This means we are being asked to plan for ten times more housing in the next eight years than our community is expected to add in the next 30 years. This is not only inconsistent, it is illogical and not consistent with good planning practices.

Unfortunately, our ability to make a conclusive assessment of the discrepancy between RHNA and growth forecasts is hampered by the absence of any published data on PBA 2050 jurisdiction-level forecasts. We have requested this data several times but it has not been provided.

2. The "2050 Household Baseline" is not an appropriate starting point for the allocations and unintentionally directs growth to cities with physical capacity and natural hazard constraints.

As we have expressed in our prior letters to the Housing Methodology Committee and Executive Board, and as you have heard from dozens of other cities in the region (including all 18 cities in Contra Costa County and most cities in Alameda County), the use of a 2050 Households Baseline is fundamentally flawed. This baseline has been characterized as a "middle ground"

between two completely different methods. In fact, it is not a “middle ground”—it is merely a variation of the less logical of the two methods.

A true “middle ground” would be to use a weighted average that considers both the jurisdiction’s share of the region’s population in 2050 *and* its anticipated growth over the next 35 years. Instead, the baseline only considers what percentage of the region’s households will reside in each jurisdiction in 2050. This approach does not recognize land capacity constraints or the physical and economic realities of the region’s growth patterns—factors which *are* recognized by Blueprint 2050.

The result of the baseline selected by ABAG is that older residential communities, many of which have experienced slow growth over the last 50 years due to physical constraints are receiving disproportionately large allocations. We completely agree that these jurisdictions must grow and accommodate a larger share of the RHNA than they have in the past. However, the assignments should bear some relationship to the growth capacity of each city, as expressed by the Blueprint.

In Piedmont’s case, the city is 1.7 square miles and landlocked. The City’s vacant land supply consists of roughly 60 very steep single-family lots, many of which are served by substandard streets with inadequate emergency vehicle access. The entire city has been designated a Wildland Urban Interface zone. There are 3.4 acres of commercially-zoned land in the City, all of which is fully developed. Seventy percent of the City’s housing stock was built before 1940. The City’s only major employers are the School District and the City itself. Prior forecasts actually show employment in the City declining in the next 20 years.

Previous RHNAs for Piedmont appropriately recognized these constraints. The currently proposed RHNA does not. The proposed 600-unit allocation is 917 percent higher than the 2015-2023 allocation and bears no relationship to capacity constraints. Simply because a city has 1/1000th of the region’s population does not mean it should be assigned 1/1000th of the region’s RHNA. Yet, that is effectively what the baseline does.

3. The proposed methodology has a disproportionate impact on smaller cities, many of which are not expected to generate significant employment during the planning period.

Smaller cities appear to be disproportionately impacted by the methodology selected by ABAG. Many of these cities lack the infrastructure, services, and land to accommodate the number of units they are being assigned. Moreover, many of these cities are not job centers, nor are they expected to add significant numbers of jobs in the future.

There are currently 30 cities in the Bay Area with populations under 15,000. Piedmont is one of them. At least half of these 30 cities have RHNA numbers that are more than ten times larger than the 20-year household growth increment previously projected for these communities by Plan Bay Area 2040.¹ Most of these cities are also facing RHNA numbers that are many times larger than their prior allocations—in some cases up to 20 times higher.

¹ Atherton, Brisbane, Half Moon Bay, Hillsborough, Portola Valley, Woodside, Los Altos Hills, Monte Sereno, Yountville, Belvedere, Corte Madera, Larkspur, Mill Valley, Ross, Sausalito, Tiburon, and Piedmont

By contrast, the region's largest cities and major job centers are receiving proportionally smaller increases in their RHNAs. It is counterintuitive that cities with the greatest capacity for growth, and the most ambitious plans to add jobs, are receiving RHNAs that are well below their 35-year growth forecasts while small cities with limited transit, infrastructure, and high natural hazards are receiving RHNAs ten to twenty times higher than they have seen in the past.

4. The Draft RHNA numbers are fundamentally inconsistent with State goals to reduce Vehicle Miles Traveled and greenhouse gas emissions, improve air and water quality, preserve agricultural land, and shift development away from areas with high wildfire risks.

As a result of its reliance on the 2050 household baseline rather than a growth-increment baseline, the RHNA reinforces historic patterns of urban sprawl and directs disproportionately large amounts of growth to rural and unincorporated areas. This is especially apparent in Alameda and Contra Costa Counties. The proposed 8-year RHNA for unincorporated Alameda and Contra Costa Counties is more than 10,000 units. Had ABAG used a methodology based on growth increments, the total would have been less than half this number. The RHNA further appears to direct thousands of new housing units into the most fire-prone communities in the Bay Area, including unincorporated Marin, Napa and Sonoma Counties. Wildland Urban Interface cities like Piedmont also receive disproportionately large numbers relative to cities with lower hazard levels.

Whereas Blueprint 2050 correctly and appropriately directs the region's growth toward urban centers, transit nodes, job hubs, and Priority Development Areas, the draft RHNA appears to do just the opposite. Cities in Santa Clara County, the fastest growing job center in the region, have comparatively lower increases in their RHNAs than cities in the East Bay and North Bay. Marin County, which according to Blueprint 2050 will lose 11 percent of its employment base in the next 30 years, experiences some of the largest increases in local RHNAs in the Bay Area. This is counterintuitive.

The assignment of high RHNAs to low-growth cities and unincorporated areas rather than to the region's growth centers appears to run counter to SB 375, AB 32, SB 743, and many other bills aimed at reducing greenhouse gas emissions and vehicle miles traveled. VMT will not decrease and GHG targets will not be met if housing is built in areas where little to no job growth is expected. We question why job centers and transit-rich locations such as San Jose and Oakland have proposed RHNA's that are roughly 80 to 90 percent higher than the prior cycle while small cities with little to no employment growth have RHNAs that are increasing by 500 to 1000 percent.

The discrepancies can largely be traced to the flawed baseline. If not corrected, the outcome will be in direct conflict with numerous State initiatives.

5. The Draft RHNA numbers do not appear to support equity goals, as they assign “above market rate” housing to affluent jurisdictions to a far greater extent than the last three RHNA cycles.

We applaud ABAG’s efforts to develop a RHNA that is more equitable and assigns affluent communities more responsibility for accommodating the region’s housing needs. We fully support the application of weighting factors that shift a greater share of the responsibility for providing lower income housing to “high opportunity areas.” However, if the weighting factors are applied to a baseline that is radically inflated for these communities, the outcome will be the opposite of what is intended.

In Piedmont’s case, our prior (2015-2023) RHNA was appropriately weighted toward production of low and very low income units. Roughly 63 percent of our City’s allocation during the 2015-2023 cycle was for low and very low income units. Only 12 percent of our allocation was for above-moderate income units. This allowed the City to focus its Housing Element on strategies to construct affordable multi-family housing and rent-restricted accessory dwelling units.

The proposed 2023-2031 RHNA for Piedmont inexplicably shifts the focus to moderate and above moderate income units. In fact, the City’s “above moderate” income assignment increases from seven units (2015-2023) to 243 units (2023-2031), an increase of almost 3,500 percent. As a percentage of the total RHNA, “low” and “very low” income housing drops from 63 percent to 44 percent. While the total number of low and very low income units still goes up substantially, the implied message is that the City must significantly increase its production of market-rate housing.

Given market economics in Piedmont, it would seem more logical to significantly reduce the total RHNA number while increasing the share of units that should be affordable.

A Better Way Forward

In closing, we wish to offer a proposed alternate approach to calculating the RHNA. We believe there is a “win-win” solution that incorporates the good work and enormous effort undertaken thus far by ABAG staff, the Housing Methodology Committee, and the other ABAG Boards that have considered this matter. We encourage you to take the following steps:

1. Publish the jurisdiction-level forecasts for Plan Bay Area 2050. Ensure that no individual city (or unincorporated county) in the Bay Area is assigned an 8-year RHNA that exceeds their 35-year growth forecast. This process needs to be transparent and this data needs to be made available for review by all local governments.
2. Recalibrate the RHNA using a baseline that represents a true “middle ground” between the two baselines that were considered by the Housing Methodology Committee. This baseline should be a weighted average between the two approaches that were initially considered. We suggest that:

- 30 percent of the baseline should be based on the “Blueprint 2050 Household” figures (i.e., the currently proposed baseline)
- 70 percent should be based on the 35-year growth increment for each jurisdiction as calculated in the PBA 2050 Blueprint forecasts.

It is imperative that the projected growth increment for each city be considered in the methodology. This is the only way to reliably ensure consistency with regional plans, reduce VMT and GHG emissions, balance job and household growth, and recognize land capacity constraints in the assignment of the RHNA.

3. Once growth allocations are made, place a greater weight on equity and income factors so that more affluent communities are assigned higher shares of low and very low income housing. These numbers become much more attainable when they are calculated as a share of a more realistic RHNA.

If the above steps are taken for Piedmont, we believe our RHNA would be approximately 200 units. This would represent a 233 percent increase over our prior RHNA, which is substantially higher than the 134 percent increase for the nine-county Bay Area. Approximately 60 to 65 percent of this target should be for low and very low income units (rather than the 44 percent proposed by ABAG). Achieving this target in eight years would be extraordinarily difficult but would at least be possible.

By contrast, a 917 percent increase in our RHNA, as proposed by ABAG, is not at all realistic. This is largely due to factors beyond the City’s control, such as the regional economy and real estate market, infrastructure, physical constraints, absence of redevelopable land, natural hazards, and fiscal considerations. The enormity of the proposed allocation defeats the intent of the RHNA and the purpose of the Housing Element itself.

On behalf of other small, land-constrained communities throughout the Bay Area, we hope you will consider our comments and alternative approach. We believe this would be a fairer and more equitable way to meet the region’s housing needs, and provide a more realistic and productive path forward.

Please do not hesitate to contact me if you have questions or would like to discuss this letter further.

Sincerely,

CITY OF PIEDMONT



Sara Lillevand
City Administrator

cc: City Council
ABAG Regional Housing Needs Allocation Staff, via RHNA@bayareametro.gov

City of Piedmont
Comments on Proposed RHNA Methodology

Dave Vautin, AICP, ABAG Assistant Director, Major Plans via dvautin@bayareametro.gov

Gillian Adams, Principal Planner, RHNA via gadams@bayareametro.gov

Ada Chan, ABAG Regional Planner, via achan@bayareametro.gov

Paul Fassinger, Regional Planning Program, Bay Area Metro, via pfassinger@bayareametro.gov

TOWN of PORTOLA VALLEY

Town Hall: 765 Portola Road, Portola Valley, CA 94028 Tel: (650) 851-1700 Fax: (650) 851-4677

November 20, 2020

Association of Bay Area Governments - Metropolitan Transportation Commission
375 Beale St, Suite 800
San Francisco, CA 94105

Re: Proposed RHNA Methodology and Subregional Shares

To Whom It May Concern-

Thank you for the opportunity to comment on the draft Regional Housing Needs Allocation (RHNA) methodology. The Town Council, after discussions at our November 11 meeting, tasked a subcommittee to draft a letter commenting on the draft methodology for the upcoming Regional Housing Needs Allocation (RHNA) process. The comments below reflect the Council's collective thoughts on the matter.

In 2016, the Portola Valley Town Council adopted a Housing Strategic Plan that has served as the foundation for a substantial and (so-far) successful effort to increase the Town's housing stock. This plan recognizes that three Portola Valley populations face particular housing challenges: seniors who wish to stay in the community they call home have few options to downsize; those who have grown up in Portola Valley but have no option to move back (save move in with their parents); and the workforce that commutes to town to support the community.

This plan has resulted in the following successes:

- Formal identification of Town property suited for potential future development
- Rapid expansion of ADU opportunities (many implemented before State legislation) and an education program that has prompted the construction of new ADUs (including an ADU open house)
- Engagement with large landowners on opportunities on their property for housing (with one active application for a development project and the potential for additional in the coming years)
- Addition of new partners in the Town's affiliated housing program, which allows for housing development beyond single-family resident development; these partners are considering future options

- Multiple public meetings providing the Town Council opportunity to hear from residents on their preferences for future housing options

These efforts (particularly those related to ADUs) have resulted in the Town exceeding its current RHNA numbers a full three years before the end of this cycle's Housing Element. The Council intends to fully implement the Housing Strategic Plan, and more broadly to continue finding ways to create new housing opportunities. This comes with the commitment of planning for future housing under the upcoming Housing Element cycle.

As the Town begins its formal process to adopt a new Housing Element, we also recognize two challenges that we wish to share with you that you may want to consider as you finalize the methodology.

1. Public Safety

As the realities of a changing climate have become more obvious, the Town has applied considerable resources to mitigate the impact of future wildfires. While the Town has always understood that wildfire is a reality, the devastating fires in northern California since 2017, and our recent experience with the CZU Lightning Complex fires, has further emphasized the need to do everything we can to ensure the safety of residents and visitors alike.

To that end, the Town is spending hundreds of thousands of dollars on a large-scale (but first round) vegetation management program on Town-owned property (focused on the right-of-way currently), and has empowered an ad hoc committee to recommend initiatives and programs to harden homes, improve communications and evacuations, and identify and remove high-fire prone vegetation Town-wide.

As you know, CalFire is amending the state fire maps. While a portion of Portola Valley is included in the "very high fire danger" designation, it is highly probable that additional Portola valley lands may be included in the amended map.

Regardless of these mitigation efforts, given the nature of the community and its lands and the inability to construct new roads to address evacuation expansion opportunities, the Town will remain highly susceptible to wildfires. We welcome an engagement with ABAG-MTC on the sensibleness of significant numbers of new homes in high-fire danger areas.

2. Infrastructure

There are two elements to the Town's infrastructure comments:

a. Physical –

As touched on in the public safety comments, the Town's infrastructure was developed and constructed to support a primarily single-family residential community on large lots. This includes just two primary roads in and out of Town. Right-of-way for future road expansion does not exist along most portions of these two roads (or, in the case of Arastradero Road, a secondary access road to Town, are not under the Town's jurisdiction).

A privately held company, and a special district provide water and sewer services. Fire services are supported by a special district. It is unclear that much development would be pursued, or be economically feasible, without the costly construction/provision of these services in advance of a project, which would make the goals underpinning the methodology difficult to achieve in Portola Valley without substantial capital outlay.

b. Staffing -

It has been nearly a generation since the Town managed a major, multi-unit housing development project. The Town's Planning and Building Department is currently managing a proposal from Stanford University for 27 single-family residences for Stanford faculty and 12 affordable multifamily housing units. This proposal required the addition of a contract planner and other associated support.

Should the draft methodology be implemented (with its accompanying RHNA), it could be the equivalent of Stanford Wedge-sized project every year for the length of the next Housing Element cycle, on top of continuation of the pace of all the housing unit production that the town will achieve in the current cycle. As the smallest staffed city in San Mateo County (and the lowest levels of revenue collection and expenditure), it is improbable that there would be an ability to hire enough staff to ensure a transparent and equitable entitlement process for any future applicants.

Conclusions

As discussed in this letter, the Town of Portola Valley has taken its commitment to providing adequate housing to the populations it serves seriously, and expects to do so in the next Housing Element cycle. In many ways, we see the work completed so far as a blueprint for other similar communities who wish to be serious about considering housing in a different light.

Nonetheless, we do believe that there are unique challenges in Portola Valley that should be considered and included as part of any adopted methodology.

We welcome a visit by ABAG staff and representatives to Portola Valley so these unique characteristics can be viewed first-hand, and we would be happy to design a safe way to accommodate such a visit.

Sincerely,



Craig Hughes
Councilmember



John Richards
Councilmember

cc: Portola Valley Town Council
Planning Commission
Woodside Fire Protection District



November 24, 2020

Executive Board, Association of Bay Area Governments
375 Beale Street, Suite 700
San Francisco, CA 94105

Dear President Arreguin, Vice President Ramos, and Members of the Executive Board:

On behalf of the Town of Ross, we wish to thank the ABAG Executive Board and the ABAG Housing Methodology Committee (HMC) for the challenging work and creative thinking that has gone into distributing 441,000 new units in the 6th Cycle Regional Housing Needs Allocation (RHNA). We support the use of the Plan Bay Area 2050 Blueprint in developing the RHNA methodology, but respectfully request that the Executive Board amend the baseline to utilize the Blueprint's *Household Growth* metric instead of *Households* as proposed by the HMC.

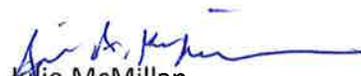
The HMC's recommended baseline allocates too many units to suburban areas that are far from job centers, lack adequate transportation infrastructure, and are in areas of wildfire risk. The proposed HMC methodology will not further greenhouse gas reduction goals and is inconsistent with the growth patterns and policy objectives more carefully considered in the Plan Bay Area 2050 Blueprint.

The Town of Ross faces significant constraints to development that are not accurately reflected in the *Households* baseline. More than one quarter of our parcels are within FEMA's 100-year Special Flood Hazard Area and practically the entire Town is in the Wildland Urban Interface. Additionally, small suburban communities like Ross do not have the capacity or the expectation for substantial job growth. In place of the HMC proposal, we recommend the ABAG Executive Board follow ABAG staff's July 2020 suggestion to utilize the Plan Bay Area 2050 Draft Blueprint in the RHNA methodology with each jurisdiction's share of *Household Growth* from 2010 to 2050 as the baseline.

The Town supports the *Household Growth* baseline, as it results in higher allocations for jurisdictions with significant jobs that are experiencing growth, including communities that have elected to be Priority Development Areas. The State Housing and Community Development Department (HCD) has already approved using regional plan household growth as a baseline for 4 of the 8 approved 6th Cycle RHNA methodologies (with 3 others using baselines that factor in jobs, and one using a variety of factors). Utilizing the *Household Growth* baseline would enable the Town of Ross to prepare our General Plan Housing Element to accommodate housing development in a way that realistically considers climate change, our unique environmental conditions, and our relationship to the Bay Area's transportation network.

The Town of Ross remains committed to addressing the housing crisis. During the current RHNA cycle we have upzoned our commercial zoning district to allow as-of-right multifamily housing and in the past year we have been collaborating with other Marin jurisdictions to develop Objective Design Standards to streamline residential construction. We have also updated our Zoning Ordinance to provide additional allowable floor area for ADUs with a very low income rent restriction. We are proud of the fact that we have been able to deliver on our 5th Cycle RHNA obligation in all income categories. Again, thank you for your contribution to the region's planning and for your consideration of this request.

Sincerely,



Julie McMillan
Mayor



Joe Chinn
Town Manager

Ford Greene
Mayor

Brian Colbert
Vice Mayor



T O W N O F
S A N A N S E L M O
E S T . 1 9 0 7

Steve Burdo
Council Member

Alexis Fineman
Council Member

John Wright
Council Member

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(415) 258-4600 | Fax (415) 459-2477
www.townofsananselmo.org

October 13, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments (ABAG) Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Re: Request for Use of Plan Bay Area 2050 Household Growth as Baseline for RHNA Methodology

Dear Board President Arreguín:

The Town Council of the Town of San Anselmo submits the following comments on the proposed Regional Housing Needs Allocation (RHNA) methodology recommended by the ABAG Housing Methodology Committee (HMC). San Anselmo respectfully requests the ABAG Executive Board to modify the RHNA methodology baseline to the *Plan Bay Area 2050 Blueprint Household Growth*. A revision to the baseline proposed by HMC is necessary to further the intent of statutorily mandated objectives and for the RHNA to be consistent with Plan Bay Area 2050.

The methodology recommended by the HMC allocates too many units to suburban areas that are far from job centers, lack adequate transportation infrastructure, and are in areas of wildfire risk. The proposed HMC methodology will not further greenhouse gas reduction goals and is inconsistent with the growth patterns and policy objectives more carefully considered in the *Plan Bay Area 2050 Blueprint*.

Small jurisdictions are being set up for failure under the proposed methodology. San Anselmo's proposed RHNA is 700% higher than our current RHNA, amounts to more units than it has been

allocated over the last four RHNA cycles combined, and exceeds the number of units that have been built in the Town over the past 50 years.

In place of the HMC proposal, we recommend the Executive Board follow ABAG staff's July 2020 suggestion to use the *Draft Blueprint* in the RHNA methodology by using each jurisdiction's share of **Household Growth** from 2010 to 2050 as the baseline. While the Town would prefer a baseline that includes jobs, we support the **Household Growth** baseline, as it results in higher allocations for jurisdictions with significant jobs that are experiencing growth, including communities that have elected to be Priority Development Areas. "This approach is consistent with how long-range forecasts have been used in ABAG's methodologies for previous RHNA cycles." (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3). In addition, the State Housing and Community Development Department (HCD) has already approved using regional plan household growth as a baseline for 4 of the 8 approved 6th Cycle RHNA methodologies (with 3 others using baselines that factor in jobs, and one using a variety of factors). The advantages of this baseline are summarized by ABAG staff (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3):

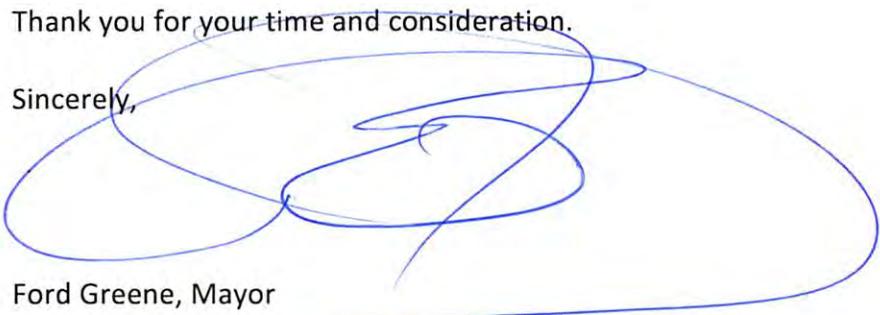
- Simple and straightforward to implement and discuss (e.g., "the methodology aligns with growth predicted by Plan Bay Area 2050")
- Integrates transit, hazards, and market feasibility through strategies and modeling
- Better aligned with Plan Bay Area 2050
- Emphasis on current and future employment development patterns leads to RHNA allocations more focused in Silicon Valley, region's largest job center
- Higher RHNA allocations in high resource areas near major job centers – notably in the South Bay

The baseline proposed by HMC, in combination with the additional factors and weights for allocating units by income category, result in allocations inconsistent with the Plan Bay Area Blueprint. For example, San Anselmo is forecasted to grow by fewer than 1,000 households during the 30 year Plan Bay Area 2050, but under the proposal, the Town is assigned 750 housing units for the first eight years of the Plan period. On a larger scale, the Household baseline fails to proportionally assign units to urban jurisdictions that are experiencing growth in both jobs and housing, and where housing will actually be built. For example, the proposed methodology allocates San Jose fewer units than San Francisco, even though Plan Bay Area forecasts that San Jose will create a half million jobs and San Francisco 182,000 jobs by 2050. However, using the **Household Growth** baseline, San Jose receives more units than San Francisco in an amount that is equal to 1/3 of San Jose's forecasted household growth in 30 years.

Finally, the Town requests that ABAG add to the *2050 Plan Bay Area Blueprint* Wildland-Urban Interface Fire Threat areas for the San Francisco Bay Region, which is available in the Metropolitan Transportation Commission Map Gallery. Currently, only CAL FIRE Very High Severity zones are factored into the Plan, which do not adequately represent wildfire risk in the Bay Area.

Thank you for your time and consideration.

Sincerely,



Ford Greene, Mayor

cc: Dennis Rodoni, Supervisor, County of Marin
Pat Eklund, Mayor Pro Tem, City of Novato

County of Santa Clara

Board of Supervisors

County Government Center, East Wing
70 West Hedding Street, 10th Floor
San Jose, California 95110-1770
(408) 299-5001 FAX 938-4525
www.sccgov.org



November 3, 2020

President Jesse Arreguin
ABAG Executive Board
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

RE: County of Santa Clara Unincorporated RHNA Allocation per Option 8a

Dear President Arreguin and ABAG Executive Board:

On behalf of the County of Santa Clara Board of Supervisors, I am writing to express objections regarding ABAG's adoption of Option 8a as the Regional Housing Needs Allocation (RHNA) distribution methodology, and specifically policy conflicts that would arise from the resulting RHNA of 4,139 housing units for the County of Santa Clara unincorporated area.

The County of Santa Clara (County) has been a strong leader in increasing housing production to address the ongoing housing crisis and affordability gap in the Bay Area. In 2016, the County Board of Supervisors sponsored ballot initiative Measure A, a \$950-million affordable housing bond passed by the voters. Measure A Bond proceeds contribute to the creation or preservation of over 4,500 units countywide, and the County has already supported 28 housing developments and allocated \$25 million for a first-time homeowner buyer program.

Additionally, the County has taken strong measures to increase the housing supply in the unincorporated areas. These measures include adoption of Inclusionary Housing Ordinances in 2018 and 2020, adoption of State-compliant Accessory Dwelling Unit (ADU) regulations that allow increased flexibility in housing types, including the use of mobile tiny homes, and adoption of an Agricultural Worker Housing Ordinance in 2020 that streamlines agricultural worker housing production.

Concurrently, the County has been a leader in advancing sustainability and climate resiliency in alignment with the State's climate goals and policy mandates. Since 1980, the County has maintained foundational General Plan policies that direct all urban growth into the cities while maintaining rural unincorporated areas for resource conservation and agriculture preservation. Consistent with these objectives, the County adopted the Santa Clara Valley Habitat Plan in 2012 and the

Board of Supervisors:

Mike Wasserman
District 1

Cindy Chavez
District 2

Dave Cortese
District 3

Susan Ellenberg
District 4

S. Joseph Simitian
District 5

County Executive: Jeffrey V. Smith



2019

Santa Clara Valley Agricultural Plan in 2018, which direct further investments into preserving habitat and agricultural lands within the rural areas.

Under the Option 8a RHNA distribution methodology, the County of Santa Clara unincorporated area would receive a RHNA of 4,139 units, to be completed over the next Housing Element Cycle (2023-31). Based on the County's General Plan policies and land use framework, the County has very limited jurisdiction over urban housing production. Approximately 98.9 percent of the County's unincorporated lands are in rural areas, which lack municipal services such as sewer and are identified for resource conservation. The County's urban unincorporated policies require new development within urban unincorporated areas to petition for annexation into Cities. A RHNA of 4,139 units—representing over a 1,300% increase over the previous RHNA allocation of 277 units in the last housing cycle—would require the County to rezone its rural areas for urban housing development, conflicting with the County's General Plan and sustainability and greenhouse gas reduction goals in both adopted State policies and within the Plan Bay Area 2050 Blueprint.

The County's Department of Planning and Development staff has determined that the County has the capacity to support approximately 2,000 units in the urban unincorporated areas for the 2023–31 Housing Element cycle, incorporating a variety of housing production strategies. This commitment to 2,000 units still represents a 620% increase over the County's previous RHNA, but underscores the County's strong commitment to produce housing within its capacity without undermining climate action and resource conservation goals.

A RHNA above this amount requiring urban housing in the County's rural areas conflicts with Housing Element Law, specifically RHNA Objective 2 (California Government Code section 65584(d)(2)), which states:

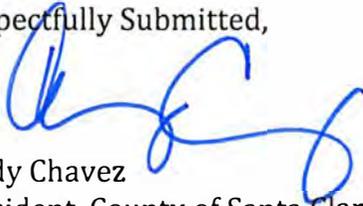
“Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.”

The requirement for the County to designate rural and agricultural areas for urban housing production also conflicts with the Plan Bay Area 2050 Blueprint that designates a majority of the County's rural areas as Priority Conservation Areas. The vast majority of the County's 65 Priority Conservation Areas identified by ABAG are located within our rural areas, identified for conservation as natural landscapes, regional recreation, and as agricultural lands. Conversion of these lands into urban housing would conflict with these resource conservation goals, concurrently increasing greenhouse gas emissions and vehicle miles traveled, contrary to the State's climate action goals.

We would like to reiterate the County is strongly committed to both housing production and greenhouse gas reduction. The County has continued to stake a leadership position in increasing housing production within our urban areas while preserving our rural and agricultural areas for resource conservation, in alignment with State and ABAG climate action goals along with greenhouse gas reduction and regional resiliency. We respectfully ask ABAG to identify and implement a modification to Option 8a that avoids the increase in RHNA for the County of Santa Clara's unincorporated areas.

Thank you for the opportunity to comment.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Cindy Chavez', is written over the text 'Respectfully Submitted,'.

Cindy Chavez
President, County of Santa Clara Board of Supervisors



P.O. Box 3144
Los Altos, CA 94024
www.citiesassociation.org
408-766-9534

November 16, 2020

Hon. Jesse Arreguin
ABAG Executive Board
Bay Area Metro
375 Beale Street
San Francisco, CA 94105

VIA EMAIL

RE: Public Comment on Proposed RHNA Methodology

Dear Board President Arreguin and Members of the Executive Board:

On behalf of the Cities Association of Santa Clara County, we would like to thank ABAG's leadership and staff for all of your hard work and dedication over the course of the past year through the Housing Methodology Committee (HMC) process. The Cities Association supports a Regional Housing Needs Assessment (RHNA) methodology that:

- Advances the RHNA statutory objectives
- Allows for an equitable distribution throughout the region
- Preserves open space
- Performs well in reducing GHG emissions
- Allows for consistency between RHNA and Plan Bay Area 2050
- Is a strong methodology to submit to the HCD for approval.

The Cities Association, however, objects to a methodology that allocates the largest share to Santa Clara County again. Santa Clara County is also one of only 3 jurisdictions where its share of the RHNA allocation would exceed its share of Bay Area Households. As we have shared before, we believe the RHNA process should be delayed until the State has a better understanding of the impact of COVID, including but not limited to the impact on job and household growth based on the increase in the number of employers allowing employees to telecommute. Additionally, the Cities Association has serious concerns that a significant portion of the underlying data used in Plan Bay Area 2050 is inaccurate, incomplete and/or outdated.

Similar to other counties in the region and statewide, our residents and elected officials are questioning where and how they will be able to build these large shares of allocated units, especially when we already struggled the last 8 years to meet much lower numbers. The solution is not increasing the RHNA numbers; instead, our leaders should first identify the barriers to building more housing and help local communities tackle those barriers.

Finally, we understand that the total number of units for the nine Bay Area region was determined by the California Department of Housing and Community Development (HCD). Therefore,

we strongly urge ABAG to join us in advocating against moving forward with the RHNA process at this time. Proceeding now will only set local communities up to fail and still not help to solve the problem. Instead, we recommend that the HCD, ABAG and the other regional groups form a committee to develop real solutions to California's housing crisis, and we are ready to partner with you on such an effort. Thank you again for all your work this year.

Thank you for your consideration.

Sincerely,



Larry Klein
President, Cities Association
Mayor, City of Sunnyvale



Neysa Fligor
Chair, Legislative Action Committee
Vice-Mayor, City of Los Altos

cc: Senator Wieckowski
Senators-Elect Becker, Cortese, Laird
Assembly Members Rivas, Kalra, Chu, Berman, Low, Stone
Assembly Member-Elect Lee
Gustavo Velasquez, Director, California Department of Housing & Community Development
Keely Martin Bosler, Director, California Department of Finance
Therese McMillan, Executive Director, ABAG & MTC

November 25, 2020

Contra Costa County Supervisor Karen Mitchoff, Chair
Association of Bay Area Governments, Regional Planning Committee
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105

Re: Regional Housing Needs Allocation – Concerns About Recommended Housing Methodology

Dear Supervisor Mitchoff,

The San Mateo County Planning and Building Department (Department) is writing to express its concern regarding the housing allocation to unincorporated San Mateo County proposed in the recommended housing allocation methodology, Option 8A, for the Regional Housing Needs Allocation (RHNA) Cycle 6. The proposed allocation presents significant practical issues for the County and has the potential to exacerbate climate change and negatively impact the County's open space, natural resources, and coastal areas. Thank you in advance for considering these comments.

The Department recognizes the magnitude of the housing crisis faced by the State, the Bay Area, and San Mateo County as a whole, and strongly supports Plan Bay Area's goals of incentivizing planning for sufficient housing to meet the region's needs, in ways equitable for all residents. The Department shares those goals. To that end, San Mateo County has been proactive in seeking housing solutions, both for the unincorporated areas, and for interjurisdictional solutions in collaboration with the County's incorporated partner cities. The County's Housing Department is a significant funder of housing for jurisdictions throughout San Mateo County and has provided financing to support development of 3,300 units affordable to low, very low, and extremely low income households since the advent of the County's Affordable Housing Fund in 2014. Half of those units are occupied or in construction, with another 1,700 in predevelopment. The County has also sponsored a number of initiatives, including the Home for All initiative and the 21 Elements collaborative, to work across jurisdictions to advance policies and strategies to increase the production, availability and affordability of housing Countywide.



The County has also aggressively promoted the creation of new housing in unincorporated areas, among other ways by incentivizing development of accessory dwelling units, rezoning for high density residential development, aggressively permitting affordable housing proposals, and adopting inclusionary housing requirements and affordable housing impact fees. San Mateo County supports all efforts to increase the availability and affordability of housing. However, the Department also recognizes that the location of such housing is critically important, and we are concerned that the allocation in the currently proposed methodology will create significant pressure to rezone non-residential, primarily undeveloped lands for residential uses.

A very large percentage of the land area within the unincorporated County remains undeveloped due to access, natural hazards, and infrastructure limitations, and because they are protected agricultural and resource management lands. The largest landowner in the County is the San Francisco Public Utilities Commission, whose watershed lands are undevelopable. The very limited amount of land within the County that is potentially available for development are highly constrained. Developing these areas would present significant challenges, and cause significant negative impacts, including:

- Loss of natural habitat and infringement on protected, threatened, or endangered resources.
- Loss of agricultural lands, including active farms and ranches.
- Increased fire danger. As the past few years have demonstrated, development in the County's rural areas is increasingly threatened by and will continue to face ever-greater fire danger, making development of these areas increasingly untenable.
- Overburdening available infrastructure. The County's rural lands are served by septic systems and well water, and are disconnected from the County's road and transit systems and other services.
- Impacts to coastal resources. San Mateo County has an extensive Coastal Zone, within which development is highly regulated and extremely constrained. Like the County's other rural areas, much of the Coastal Zone is disconnected from municipal services. Even the County's small urban coastal areas face strict limits on available water and other services. In areas directly adjacent to the coastline, coastal erosion and sea level rise are increasingly infringing on formerly developable lands, as well as threatening existing development. Development within the Coastal Zone is strictly constrained by the California Coastal Act and the County's Local Coastal Program (LCP), including voter-initiated growth limits within the County's LCP that cannot be amended without a Countywide referendum, preventing significant densification in even the existing urban areas in the County's Coastal

Zone.

The climate impacts of new development in undeveloped unincorporated areas are also significant, as development in many of these areas could generate long commutes to jobs and services, as well as require the expenditure of great deals of energy to create and maintain the new infrastructure that would be required to serve them.

For these reasons, the Department believes that the priority for any housing policies should be the promotion of compact, transit-oriented, infill development or redevelopment in the urbanized core of the San Mateo County Peninsula. Such development is consistent with the objectives in State housing element code, Gov. Section 65584(d)(2):

(2) Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.

In addition, this type of development is most consistent with the goal of Plan Bay Area, per Senate Bill 375, to reduce greenhouse gas emissions by focusing housing near jobs and transit.

However, while the Department supports development that meets these criteria, the urbanized unincorporated areas of San Mateo County make up only a small fraction of County territory, and are primarily located within the boundaries of incorporated cities. These areas are limited in size, and are in many cases already zoned to the maximum densities that can be supported by infrastructure.

In addition, the County relies on external service providers to provide water, wastewater, and other services to these areas, and has no independent ability to increase service capacity. In North Fair Oaks, for example, a Priority Development Area that the County has significantly up-zoned in recent years consistent with the adopted North Fair Oaks Specific Plan, emerging wastewater constraints may prohibit development even at the densities allowed by the newly adopted zoning, unless the County can obtain additional wastewater service capacity. Similar conditions pertain in other unincorporated urbanized areas, including the Harbor Industrial, Broadmoor, Sequoia Tract, and Devonshire communities.

The Department does not take issue with the composition of the proposed allocation by affordability level. Our concern is the magnitude of the total allocation, and its likelihood to necessitate greenfield development outside of the County's urbanized areas. We would

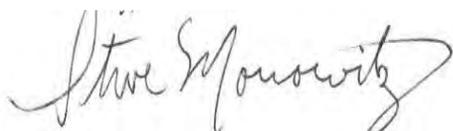
Karen Mitchoff, Chair
November 25, 2020
Page 4

note that while the County's proposed housing allocation under Option 8a is 2,933 units, approximately three times the final allocation during the last Housing Element Cycle, the County's allocation from ABAG/MTC in the 2014 – 2022 RHNA cycle was initially only approximately 300 units in total. The County subsequently voluntarily accepted 600 additional units from incorporated cities, as part of the sub-regional allocation process then in effect. The current proposed allocation is nine times the allocation arrived at by ABAG/MTC as part of Plan Bay Area analysis in Cycle 5. An allocation of this size seems certain to necessitate development in formerly undeveloped areas of the County. Such development would be in conflict with the Plan Bay Area Priority Conservation Area program.

Again, The Department recognizes that Plan Bay Area strives to balance growth in the built environment and the protection of natural resources, as well as addressing the needs of residents throughout the region. However, given the potentially grave negative impacts of development outside of urban infill areas, the County strongly urges reconsideration of the proposed allocation, and consideration of the number of housing units that can be realistically accommodated primarily in these areas.

The San Mateo County Planning and Building Department has many resources available to further document these points, and its staff would welcome the opportunity to collaborate with ABAG on an allocation number that is aggressive, realistic, and environmentally sound. Thank you for considering this offer and the comments contained in this letter. Please feel free to contact me if you have questions or if you would like to discuss these matters further.

Sincerely,

A handwritten signature in cursive script that reads "Steve Monowitz". The signature is written in black ink and is positioned above the typed name and title.

Steve Monowitz
Community Development Director



CITY OF SAUSALITO

420 Litho Street • Sausalito, CA 94965
Telephone: (415) 289-4100
www.sausalito.gov

November 18, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments (ABAG) Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Re: Request for Plan Bay Area 2050 Household Growth as Baseline for RHNA Methodology

Dear Board President Arreguín:

Thank you for the difficult work to ensure the Regional Housing Need Allocation is distributed in an equitable way that both seeks to provide opportunity to those in need of housing and ensures that our shared goals to put housing near services and jobs to address climate change are addressed. The City of Sausalito is committed to providing housing opportunities to all segments of the community and to taking on its fair share of housing units that are needed State wide. We are committed to providing affordable and workforce housing that provides residents the same chance to live in a safe neighborhood with great schools, healthy food options, public libraries, community centers, parks and trails, transportation hubs, and access to employment centers.

However, we are concerned that the proposed methodology under consideration by ABAG and assumptions in the Blueprint 2050 will result in a significant increase in the Regional Housing Need Allocation (RHNA) in the City of Sausalito (over 800% higher than our current RHNA) that may make it impossible for us to meet these housing goals. The City is submitting the following comments on the proposed Regional Housing Needs Allocation (RHNA) methodology under consideration by ABAG. The City of Sausalito respectfully requests ABAG modify the RHNA methodology baseline to the *Plan Bay Area 2050 Blueprint **Household Growth***. A revision to the baseline proposed by Housing Methodology Committee (HMC) is necessary to further the intent of statutorily mandated objectives and for the RHNA to be consistent with Plan Bay Area 2050.

Sausalito has made great strides over the last two housing element cycles to develop and promote innovative housing solutions to meet our fair share. We have also received a certification of our Housing Element from the State Department of Housing and Community Development (HCD) since 2012 and we wish to continue with this success. Some of our recent successes include:

- Safe Harbor Pilot Program. The one of its kind Sausalito Safe Harbor Program, which began in 2019, houses and provides services to members of the anchor-out community who were originally in Richardson Bay. Each participant in this program is assigned a case manager through a partnership with the Ritter Center's Whole

Person Care program for ongoing social services through wrap around case management and supports annual ongoing lease payments to marina operators for slips. The goal of the program is to make the vessels sea-worthy, safe and stable enough to be housed in a marina.

- Objective Design and Development Standards. The City has partnered with the County and other Marin jurisdictions to develop a “toolkit” to develop objective design and development standards which address several amendments to housing legislation, including the Housing Accountability Acts (AB 678, SB167, and AB1515) and SB35.
- Inclusionary Housing. In 2019 the City of Sausalito adopted our first inclusionary housing ordinance to mandate that all projects four units and greater provide a minimum of 15% affordability. In addition, the City has partnered with the County and other Marin jurisdictions to develop a residential in-lieu fee and explore a commercial linkage fee, in order to seed an Affordable Housing Trust Fund.
- Accessory Dwelling Unit Website. The City has partnered with the County and other Marin jurisdictions to develop a shared ADU website that will create a homeowner tool that gives access to floor plans, process videos, regulation summaries, and a calculator with cost estimates in order to encourage homeowners in developing ADUs, increase the accessibility of useful materials and the level of information available to the public.
- Exploring Housing Sites and Funding for Inadequately Housed Populations. Discussions in the spring of 2020 were held with Senator McGuire and the City of Sausalito in anticipation of potential financial support from the State of California in the form of competitive housing grants available as early as 2021 to meet the longstanding needs of inadequately housed populations such as the anchor-out community, seniors and the workforce. During those discussions, eight sites were preliminarily identified as candidates that could potentially be explored to provide permanent supportive housing for the anchor-out community in addition to senior housing and/or workforce housing.

We understand that our share of the RHNA will increase and we are committed to increasing our housing production, especially of homes affordable to lower income households. However, the methodology recommended by the HMC allocates too many units areas, such as Sausalito, that are in areas of wildfire risk, and to suburban areas far from job centers. The proposed methodology will not further greenhouse gas reduction goals and is inconsistent with the growth patterns and policy objectives more carefully considered in the *Plan Bay Area 2050 Blueprint*.

We recommend that ABAG follow ABAG staff’s July 2020 suggestion to use the *Draft Blueprint* in the RHNA methodology by using each jurisdiction’s share of **Household Growth** from 2010 to 2050 as the baseline. While the City would prefer a baseline that includes jobs, we support the **Household Growth** baseline as it results in allocations that reflect jurisdictions with significant jobs that are experiencing growth, including communities that have elected to be Priority Development Areas. “This approach is consistent with how long-range forecasts have been used in ABAG’s methodologies for previous RHNA cycles.” (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3). In addition, the State Housing and Community Development Department (HCD) has already approved using regional plan household growth as

a baseline for 4 of the 8 approved 6th Cycle RHNA methodologies (with 3 others using baselines that factor in jobs, and one using a variety of factors).

The advantages of this baseline are summarized by ABAG staff (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3):

- Simple and straightforward to implement and discuss (e.g., “the methodology aligns with growth predicted by Plan Bay Area 2050”)
- Integrates transit, hazards, and market feasibility through strategies and modeling
- Better aligned with Plan Bay Area 2050
- Emphasis on current and future employment development patterns leads to RHNA allocations more focused in Silicon Valley, region’s largest job center
- Higher RHNA allocations in high resource areas near major job centers – notably in the South Bay

The proposed Plan Bay Area 2050 Household baseline, in combination with the additional factors and weights for allocating units by income category, result in allocations inconsistent with the Plan Bay Area Blueprint. For example, the City is forecasted to grow by 1,000 households during the 30 year Plan Bay Area 2050 but is assigned 740 housing units for the first eight years of the Plan period alone. Upgrades to existing infrastructure (streets, sewers, storm drains, etc.) to accommodate the increased intensity of use would be required, and the City is concerned that eight years is not enough time to make these required infrastructure upgrades for 740 units.

On a larger scale, the Household baseline fails to proportionally assign units to larger jurisdictions that are experiencing growth in both jobs and housing, and where housing will actually be built. For example, San Jose is allocated fewer units than San Francisco even though Plan Bay Area forecasts that San Jose will create a half million jobs and San Francisco 182,000 jobs by 2050. However, using a baseline of *Household Growth* increases the units for San Jose above San Francisco in an amount that is equal to 1/3 of its forecasted household growth in 30 years.

Small jurisdictions are being set up for failure under the proposed methodology. Sausalito’s proposed RHNA is over 800% higher than our current RHNA. This proposed RHNA of 740 for the next eight years is more (by almost 100 units) than the total number of units we have been allocated over the last four cycles (34 years of RHNA allocations). See the table below:

| RHNA Cycle | Units Allocated to Sausalito |
|--|-------------------------------------|
| 2 nd : 1988-1995 | 294 |
| 3 rd : 1999-2006 | 104 |
| 4 th : 2007-2014 | 165 |
| 5 th : 2015-2022 | 79 |
| Total, RHNA Cycles 2nd-5th (34 years) | 642 |

Finally, the City requests that ABAG add to the 2050 Plan Bay Area Blueprint Wildland-Urban Interface Fire Threat areas for the San Francisco Bay Region, which is available in the Metropolitan Transportation Commission Map Gallery. Currently, only CAL FIRE Very High

November 18, 2020, Page 4

Severity zones are factored in the Plan, which do not adequately represent wildfire risk in the Bay Area.

Thank you for your time and consideration.

Sincerely,

DocuSigned by:

CF095EA91C8340C

Susan Cleveland-Knowles
Mayor

cc: County of Marin Supervisors
City of Sausalito Councilmembers
Pat Eklund, Mayor Pro Tem, City of Novato

DEPARTMENT OF RESOURCE MANAGEMENT

TERRY SCHMIDTBAUER
Director (Interim)

ALLAN CALDER
Planning Services Manager



**SOLANO
COUNTY**

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Planning Services Division

November 10, 2020

Therese McMillan
Executive Director
ABAG & MTC
375 Beale St., Ste. 800
San Francisco, CA 94105

Re: Proposed RHNA Methodology and Subregional Shares

Dear Ms. McMillan:

Solano County would like to take this opportunity to provide comments on the proposed RHNA Methodology and Subregional Shares initially approved by your Executive Board on October 15, 2020.

Proposed RHNA Methodology

The proposed draft RHNA methodology was approved for public review and comment on October 15, 2020. It utilizes the draft 2050 Bay Area Blueprint (total households) as its baseline. Solano County has a concern with the application of the 2050 Blueprint as the baseline, as it has inherent flaws in its assumptions for unincorporated housing growth in Solano County. The Blueprint assumes that the County will be developing lands within the cities' Spheres of Influence (SOI) to significant density while still in the County (before annexation) and, as such, more housing development is attributed to the unincorporated County than should be for reasons further articulated below.

The County understands that the Blueprint is intended to project long term growth patterns on a regional scale and is not intended to analyze development at the local scale. However, when the Blueprint data becomes an input into the RHNA process, it must accurately reflect local city and county development strategies because RHNA itself is a local planning issue.

Solano County is rural and agricultural in nature, and its General Plan has and continues to contain strong policies encouraging city centered growth. The Orderly Growth Initiatives (1984, 1994, 2008) (extended by Measure T) is a voter approved initiative that prevents the conversion of agricultural lands to residential or commercial without voter approval at a general election.

The October 15, 2020 draft methodology assigns Solano County 1,016 units that need to be incorporated into its Housing Element. This is an extremely high number and virtually impossible to accommodate for a predominantly rural and agricultural county without the benefit of significant urban services (sewer/water). This flaw is not the fault of the methodology factors and weighting but from using the 2050 Blueprint as the baseline.

Without incorporating the recommended factors and weights of the methodology, the Blueprint baseline assumes that the County will have a RHNA requirement of 1,850 housing units for the upcoming RHNA timeframe. Of these units, 1,080 are anticipated to be built within the LAFCO approved Spheres of

Influence of several cities within the County. This is fundamentally problematic for Solano County. The County does not provide urban services, and services cannot be extended to these areas without annexation to the city.

While Solano County has formed a subregion for re-allocating its countywide allocation to the County and each of its cities, the County does not want to be in a position to correct an assumption about housing that at the regional level was fundamentally incorrect. An adjustment should be made to either the 2050 Blueprint model and assumptions or to the RHNA allocation assigning development of lands within cities' Spheres of Influence to the cities and not the County. This adjustment will not impact the total subregional allocation and will more accurately and realistically reflect anticipated development patterns in future years.

Both ABAG staff and HCD staff have pointed out that RHNA units can be re-allocated to cities when land is annexed. However, current law will require the County to develop a certified Housing Element that will accommodate its RHNA allocation. The County will be expected to identify where and how it plans to locate or rezone for these units and plan for supporting infrastructure in a city sphere of influence, prior to annexation, in order to get its Housing Element certified. As such, transferring this RHNA responsibility at annexation provides no benefit to the County as it attempts to draft a certified Housing Element. Should the County fail to obtain certification of its Housing Element by HCD, there is risk of lawsuits, and it will not be eligible for many forms of funding and grants specifically earmarked to assist with the development of housing.

Solano County appreciates the opportunity to provide comments on the proposed RHNA methodology. Should you have any questions or comments regarding the content of this letter, please feel free to contact Matt Walsh at (707) 784-6765 or by email at mwalsh@solanocounty.com.

Sincerely,



Terry Schmidtbauer, Interim Director
Solano County Department of Resource Management

Cc
Birgitta Corsello, CAO
Solano County Board of Supervisors



City of St. Helena

*"We will conduct city affairs on behalf of our citizens
using an open and creative process."*

1572 Railroad Ave.
St. Helena, CA 94574
Phone: (707) 967-2792
Fax: (707) 963-7748

www.cityofsthelema.org

November 24, 2020

Jesse Arreguin, President
Association of Bay Area Governments (ABAG)
Bay Area Metro Center
375 Beale Street Suite 800
San Francisco, CA 94105

Re: Proposed RHNA Methodology and Subregional Shares

Dear President Arreguin:

The City of St. Helena would like to thank the ABAG Housing Methodology Committee (HMC) for its important work and for the opportunity to provide HMC with more insight on how the Regional Housing Needs Allocation Proposed Methodology dated October 2020 would affect a small, rural community like St. Helena. We have carefully reviewed the Proposed Methodology and submit the following comments as part of the public comment period on the Proposed RHNA Methodology and Draft Subregion Share:

- The St. Helena General Plan designates nearly 50% of the incorporated areas as agriculture and open space with an additional 15% being heavily wooded areas on steep mountainous slopes (designated Woodlands and Watershed), leaving relatively limited in-fill capacity for development at densities needed to accommodate the allocation targets under the draft methodology.
- The recently adopted General Plan assumed up to 332 new housing units through year 2040 or approximately 15 units a year.
- The proposed RHNA assignment of 171 units over an 8-year planning period requires 21.375 units per year to be constructed, a 42.5% increase over the annual growth rate contemplated by the current General Plan. While St. Helena recognizes that all cities must share in the region's need to build new housing, this is a faster growth rate than anticipated in the City's planning documents.
- The accelerated growth required by these RHNA assignments will escalate the need for expanded and updated infrastructure; how are small communities like St. Helena going to pay for this infrastructure? We will enthusiastically work with ABAG-MTC and other local governments to advocate for additional State funding to assist with expanded and updated infrastructure in support of affordable housing projects.
- Although St. Helena is served by the Vine, Napa County's public transit system, this system is seldom used by those who have access to cars – in other words, it does not draw significant

numbers of commuters who either work in St. Helena or who live in St. Helena and work elsewhere. As a result, except where construction of low and moderate income housing enables workers to live closer to their place of employment, housing development beyond that contemplated by the City's General Plan would increase VMT and traffic congestion, and would not support greenhouse gas (GHG) emission reduction targets.

- Small, rural, agricultural communities are not appropriate locations for “high-rise” residential housing which further limits their ability to increase density.
- Our ability to assume more growth in the City became further constrained on October 27, 2020, when the City of St. Helena declared a Phase 2 water emergency. No new water connections are permitted during a Phase II emergency.
- The hills and mountains that frame the Napa Valley are in PG&E's Tier 3 high fire risk zone and have proven to be high fire hazard areas as evidenced by the Tubbs, Atlas, Hennessy (LNU Complex), and Glass fires of 2017 and 2020; this further limits our ability to accommodate additional growth outside existing urban limits.
- Placing homes near job centers and away from natural hazards (fire severity zones etc.) and preserving agricultural and open space areas should be given a high priority to avoid the inadvertent loss of farmland and open space and to reduce the significant cost of emergency mitigation and assistance.
- The aggregate total of St. Helena units in Table 5 should be 171, not 172. The proposed distribution by income category is:
 - Very Low: 46
 - Low: 27
 - Moderate: 27
 - Above Moderate: 71
- Upon the arrival of the COVID-19 pandemic in the Spring of 2020, a paradigm shift has occurred in urban centers around the world relating to commuting patterns and the density of cities identified as job rich centers. Many of the current telecommuting arrangements from Silicon Valley's technology giants are expected to remain post COVID-19. The region is also experiencing an exodus of workers leaving the Bay Area for Sacramento and other more affordable areas outside the region which will have impacts for years to come. Has ABAG and the RHNA Methodology Committee considered how these demographic shifts may change the assumptions?
- The City of St. Helena has faced extraordinary economic challenges this year due to the pandemic and the wildfires. Under these circumstances, it will be important for RHNA to avoid placing a disproportionate adverse financial impact on small, rural communities like ours.

The City of St. Helena appreciates this opportunity to review and comment on this very important housing growth strategy as our region prepares to begin the Housing Element update process. If you have any questions, please do not hesitate to contact me at mderosa@cityofsthenela.org.

Best regards,

A handwritten signature in cursive script, appearing to read "Maya DeRosa".

Maya DeRosa, AICP
Planning and Building Director
City of St Helena

cc: Mayor and City Council
Planning Commission
Mark T. Prestwich, City Manager
Aaron Hecock, AICP, Senior Planner
Ethan Walsh, City Attorney

Tri-Valley Cities

DANVILLE • LIVERMORE • PLEASANTON • SAN RAMON

November 17, 2020

Mayor Jesse Arreguin, President
Executive Board, Association of Bay Area Governments
375 Beale Street, Suite 700
San Francisco, CA 94105

Dear Mayor Arreguin:

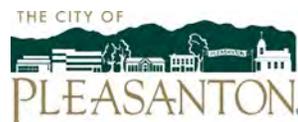
On behalf of the Tri-Valley Cities of Danville, Livermore, Pleasanton and San Ramon, we once again want to express our appreciation for ABAG's work on the 6th Cycle RHNA process, and to develop a methodology that appropriately and fairly distributes the 441,176 unit RHND recently allocated to the Bay Area by the State Department of Housing and Community Development (HCD).

On October 15, 2020, the ABAG Executive Board voted to support the Housing Methodology Committee's recommended methodology "Option 8A" and to forward it for public review in advance of submittal to the State Department of Housing and Community Development. The methodology utilizes the "Plan Bay Area 2050 Future Households" Baseline; and applies a series of Factors that adjust the Baseline allocation, with a strong equity focus ("Access to High Opportunity Areas"), and secondarily, jobs proximity, with the greatest weight given to jobs accessible by auto.

Prior to the October public hearing, on October 8, 2020 the Tri-Valley Cities submitted a letter expressing significant concerns with the proposed methodology, particularly that it would have several negative outcomes in terms of its resultant distribution of housing growth, inconsistent with Plan Bay Area and key regional planning goals. We are writing to reiterate those prior concerns, which were echoed in a similar letter from the Alameda County Mayor's Association and were also expressed by a number of ABAG Executive Board members and speakers at the October 15 hearing.

For Option 8A, these include housing allocations to Santa Clara County that fall far short of those projected in Plan Bay Area, and that fail to match the explosive jobs growth in the County over the past decade. And, significantly, we conclude the RHNA distribution resulting from Option 8A will work against key regional planning goals, including those to address GHG emissions by placing housing near jobs and transit centers, instead driving growth outwards, perpetuating sprawl and inefficient growth patterns.

As result, we would urge the Executive Board to consider an Alternative Methodology that 1) Uses the 2050 Household Growth Baseline; and 2) makes additional refinements to the Factors to allow for greater emphasis on transit and jobs access, while still maintaining an equity focus.



Impacts of HMC Recommended Methodology

As noted in our prior correspondence, the proposed Baseline would significantly under allocate new housing to Santa Clara County, resulting in significantly higher allocations to other counties. This means that the methodology fails to adequately address the significant jobs-housing imbalance in Santa Clara County caused by its recent extraordinary jobs growth. In contrast to Plan Bay Area, which anticipates a 42% increase in housing growth in Santa Clara, the methodology assigns only 32% of the RHND there. This amounts to over 40,000 units allocated elsewhere in the region – most problematically, to our outer suburbs, small cities, and rural and unincorporated county areas.

The Contra Costa letter highlights some of the inequitable and unrealistic distributions to smaller cities across the region. In Danville, here in the Tri-Valley, the difference would amount to over 1,800 units, a more than 700% difference from the 2050 Growth Baseline. Similarly, large disparities are seen in other small cities.

Although the HMC’s Option 8A provides an emphasis on equity and fair housing that is vitally important, we believe the unintended consequences of the growth patterns dictated by Option 8A may actually work against equity goals by:

- Inadequately addressing jobs-housing imbalances in the region requiring people to travel long distances from where they live to where they work.
- Driving growth from cities that want and need new housing to serve their communities and support their local economies.
- Underemphasizing transit access, thus increasing auto reliance for daily commutes and activities – at a significant economic, social and environmental cost to those residents.

Recommended Alternative Baseline and Factors

As previously requested, and similar to the approach advocated by Contra Costa County and others at the Executive Board’s October public hearing, we would urge the Executive Board to consider an Alternative to Option 8A, that shifts to use the “Plan Bay Area 2050 Growth” Baseline. We would also seek further refinements to the Factors as follows:

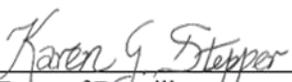
| | HMC Option 8A | Proposed Alternative Methodology |
|---|--|--|
| Baseline | Plan Bay Area 2050 Households | Plan Bay Area 2050 Growth |
| Factors and Weighting | | |
| Very-Low and Low Income Units | <ul style="list-style-type: none"> • 70 % Access to High Opportunity Areas • 15 % Jobs Proximity – Auto • 15 % Jobs Proximity - Transit | <ul style="list-style-type: none"> • 60 % Access to High Opportunity Areas • 20 % Jobs Proximity – Auto • 20 % Jobs Proximity - Transit |
| Moderate and Above Moderate Income Units | <ul style="list-style-type: none"> • 40 % Access to High Opportunity Areas • 60 % Jobs Proximity Auto | <ul style="list-style-type: none"> • 20 % Access to High Opportunity Areas • 40 % Jobs Proximity - Auto • 40 % Jobs Proximity - Transit |

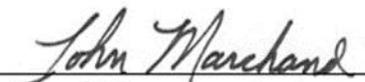
Together, these changes would have the following beneficial outcomes for the region, each of which would improve its consistency with Plan Bay Area:

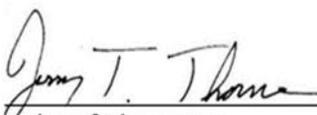
- **Increased share of RHNA to the “Big Three” cities and inner Bay Area**, and a corresponding decrease in that assigned to the outer Bay Area, unincorporated, and small and rural communities by approximately 30,000 units. This will ensure that the largest share of housing growth is allocated to the region’s biggest job centers, in areas well-served by transit and infrastructure.
- **Reduced allocation to unincorporated county areas by over 10,500 units** – avoiding further residential growth pressures in areas most subject to natural hazards, lack of infrastructure capacity, and threatened loss of agricultural and open space land.
- **Alignment of the share of housing growth in Santa Clara County to match Plan Bay Area 2050 and the County’s significant jobs growth of the past decade.** Santa Clara, home of some of the region’s largest tech firms, has the largest numeric deficit in housing production to jobs production over the past decade, which could be corrected in part by this adjustment.

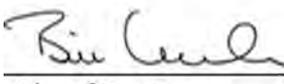
We appreciate the opportunity to bring forward this Alternative Methodology, and request that the Executive Board be provided an opportunity to duly consider this alternative in their forthcoming deliberations on the RHNA Methodology.

Respectfully,


Town of Danville
Mayor Karen Stepper


City of Livermore
Mayor John Marchand


City of Pleasanton
Mayor Jerry Thorne


City of San Ramon
Mayor Bill Clarkson

Attachments:

1. Summary of Representative Jurisdiction-Specific Allocations, Modified Methodology



Alice Fredericks
Mayor

Holli Thier
Vice Mayor

David Kulik
Councilmember

Jack Ryan
Councilmember

Jon Welner
Councilmember

Greg Chanis
Town Manager

Mayor Jesse Arreguín, President
Association of Bay Area Governments (ABAG) Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Re: Request for Use of Plan Bay Area 2050 Household Growth as Baseline
for RHNA Methodology

Dear Board President Arreguín:

The Town of Tiburon respectfully requests the ABAG Executive Board to modify the RHNA methodology baseline to conform to the *Plan Bay Area 2050 Blueprint Household Growth*. The requested modification furthers the intent of statutorily mandated objectives and brings the proposed RHNA into conformity with Plan Bay Area 2050.

The methodology recommended by the Housing Methodology Committee (HMC) allocates too many units to suburban areas that are far from job centers, lack adequate transportation infrastructure, and are in areas of wildfire risk. The proposed HMC methodology will not further greenhouse gas reduction goals and is inconsistent with the growth patterns and policy objectives more carefully considered in the *Plan Bay Area 2050 Blueprint*.

Small jurisdictions are being set up for failure under the proposed methodology. The RHNA proposed for the Town of Tiburon is 8 times higher than the Town’s current RHNA. The proposed RHNA amounts to more units than it has been allocated over the last four RHNA cycles combined. While the Town of Tiburon continues to make progress in achieving 100% of our current RHNA allocations, we have not accomplished this yet. Despite efforts to develop and adopt a compliant housing element and streamline our processing of development projects, the units have not been built by the private market. The Town believes that this is due in part to our location in the Bay Area relative to where jobs and job growth are and to limited public transportation making the required travel to jobs a challenge both logistically and in relation to goals of greenhouse gas reduction. The proposed RHNA, eight times the Town’s previous allocation, carries the potential of significant penalties to our community because the production numbers are simply unrealistic.



Alice Fredericks
Mayor

Holli Thier
Vice Mayor

David Kulik
Councilmember

Jack Ryan
Councilmember

Jon Welner
Councilmember

Greg Chanis
Town Manager

In place of the HMC proposal, we recommend the Executive Board follow ABAG staff's July 2020 suggestion to use the *Draft Blueprint* for the RHNA methodology. The RHNA generated by Draft Blueprint uses each jurisdiction's share of *Household Growth* from 2010 to 2050 as the baseline. The Town supports the *Household Growth* baseline. While we prefer the methodology that includes job growth, the Household Growth baseline results in higher allocations for jurisdictions with significant jobs that are experiencing growth, including communities that have elected to be Priority Development Areas. This approach is consistent with long-range forecasts that have been used in ABAG's methodologies for previous RHNA cycles. (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3).

In addition, the State Housing and Community Development Department (HCD) has already approved using regional plan household growth as a baseline for 4 of the 8 approved 6th Cycle RHNA methodologies (with 3 others using baselines that factor in jobs, and one using a variety of factors). The advantages of this baseline are summarized by ABAG staff (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3):

- Simple and straightforward to implement and discuss (e.g., "the methodology aligns with growth predicted by Plan Bay Area 2050")
- Integrates transit, hazards, and market feasibility through strategies and modeling
- Better aligned with Plan Bay Area 2050
- Emphasis on current and future employment development patterns leads to RHNA allocations more focused in Silicon Valley, region's largest job center
- Higher RHNA allocations in high resource areas near major job centers – notably in the South Bay

The baseline proposed by HMC, in combination with additional factors and weights for allocating units by income category, result in allocations inconsistent with the Plan Bay Area Blueprint. For example, Tiburon is forecasted to grow very incrementally. In fact, by 2040, the number of households will reach 3900. This is a reduction from 2010 by ten units. Household population is projected to increase by less than 300 persons. The Town is assigned 620 housing units for the first eight years of the Plan period. Based on Tiburon's historic growth of approximately 10 units per year, the number assigned is unrealistic

On a larger scale, the Household baseline fails to proportionally assign units to urban jurisdictions that are experiencing growth in both jobs and housing, and where housing should be supported and built. For example, the proposed methodology allocates San Jose fewer units than San Francisco, even though Plan Bay Area forecasts



Alice Fredericks
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Greg Chanis
Town Manager

that San Jose will create a half million jobs and San Francisco 182,000 jobs by 2050. In contrast, using the *Household Growth* baseline, San Jose receives more units than San Francisco in an amount that is equal to 1/3 of San Jose’s forecasted household growth in 30 years.

Furthermore, Plan Bay Area shows Marin providing approximately 2% of the region’s housing needs by 2050 and losing about 13,000 jobs. With the largest number of retirees, Marin is actually reducing jobs as employment and housing moves to areas with significant growth primarily in working age households. This data further supports the Town’s position that use of either Plan Bay Area methodology or blueprint of Household Growth as a baseline provides a more accurate forecast of housing needs.

Finally, the Town requests that ABAG add Wildland-Urban Interface Fire Threat areas and FEMA floodways for the San Francisco Bay Region to the *2050 Plan Bay Area Blueprint*. Both Fire Threat areas and Floodways are available in the Metropolitan Transportation Commission Map Gallery. Currently, only CAL FIRE Very High Severity zones are factored into the Plan. The zones do not adequately represent wildfire and sea level risk in Tiburon.

Thank you for your consideration of our concerns as we all plan to meet housing needs for our communities that are realistic and consistent with the statutory mandates for the region.

Respectfully

Alice Fredericks
Mayor, Town of Tiburon



The Town of
Woodside

November 24, 2020

Association of Bay Area Governments and Metropolitan Transportation
Commission's Public Information Office
375 Beale St., Suite 800
San Francisco, CA 94105

Re: Proposed RHNA Methodology and Subregional Shares

To Whom It May Concern,

I am writing in response to the 6th Cycle RHNA process and the proposed RHNA methodology. Initially, I want to thank ABAG for the time and effort it has put into this RHNA cycle so far.

P.O. Box 620005
2955 Woodside Road
Woodside CA 94062

The October 2020 Proposed Methodology and Subregional Shares Report (the "Report"), however, fails to take into account the unique challenges faced by jurisdictions within the Wildland Urban Interface (WUI). The Town of Woodside, as well as other areas of San Mateo County, is within the WUI, an acknowledgement of the threat of wildfire. This past August, the CZU Lightning Complex fires came within a few miles of the Town of Woodside and, as a result, many of my neighbors received evacuation orders. Wildfire remains one of the biggest threats to Woodside and the Town is taking proactive measures to manage fire fuels within its borders. The Report, however, makes only passing reference to the threat from wildfires and does not adjust the RHNA allocations for communities most at risk.

To properly plan for safe and affordable housing, the RHNA methodology must take into account wildfire threat and make accommodations for those at-risk communities. Woodside remains committed to planning for its fair share of housing, but the RHNA allocation process must consider the unique challenges associated with wildfire risk. Current and future residents of Woodside and communities like it would not be served by substantial new development in wildfire prone areas. In short, a one-size-fits-all approach does not work. I implore ABAG to more carefully consider how its methodology will affect communities with high wildfire risk and make necessary accommodations.

650-851-6790

Fax: 650-851-2195

townhall@woodsidetown.org

Thank you for your attention to this matter. Please do not hesitate to contact me with any questions or concerns

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ned Fluet', with a stylized flourish extending to the right.

Ned Fluet
Mayor

cc: Town Council